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MINUTES OF THE MEETING
OF THE COUNCIL OF
HAMILTON

APRIL 8, 1993 to AUGUST 9, 1993

Minutes of the Special Meeting of Hamilton City Council
Thursday, 1993 April 8
11:30 o'clock a.m.
Room 233, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters,
Jackson, Anderson, Ross, D'Amico.

Absent: Alderman W. McCulloch - civic business
Alderman D. Drury - vacation
Alderman B. Morelli - civic business
Alderman H. Merling - civic business

It was moved by Alderman Cooke and seconded by Alderman Ross that Section 2 (4) of the City's Procedural By-law 82-203 requiring written notice of a Special Meeting by the City Clerk be invoked for this meeting of City Council in order to consider an amendment to the Licensing By-law respecting Transient Vendors. **CARRIED.**

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It was moved by Alderman Cooke and seconded by Alderman Ross that Council move into Committee of the Whole to consider the Seventh Report of the Finance and Administration Committee with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino,
Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0. **CARRIED.**

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FINANCE AND ADMINISTRATION COMMITTEE - SEVENTH REPORT

Re: An Amendment to the Licensing By-law respecting Transient Vendors

It was moved by Alderman Cooke and seconded by Alderman Ross that the Report of the Finance and Administration Committee, be now considered in Committee of the Whole with Mayor Morrow in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Ross that the following Bills be now read a first time.

H-21, H-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Ross that the following Bills be now considered in Committee of the Whole with Mayor Morrow in the chair.

H-21, H-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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Consideration of the Bill (Second Reading).

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It was moved by Alderman Cooke and seconded by Alderman Ross that the Report of the Committee of the Whole on the following Bills be adopted.

H-21, H-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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1993 April 8

It was moved by Alderman Cooke and seconded by Alderman Ross that the following Bills be now read a third time, signed, sealed and enrolled as a By-law.

H-21, H-22.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

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The meeting adjourned at 11:40 o'clock a.m.

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 April 8.

1993 April 8

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SEVENTH** Report for 1993 and respectfully recommends:

1. That the City Solicitor be authorized and directed to prepare a By-law to amend Schedule 22 to Licensing By-law No. 79-323 as consolidated in By-law 93-069 respecting Transient Vendors for presentation to City Council.
2. That leave be granted to introduce the following Bills:
 - (a) Bill H-21: A By-law to amend Schedule 22 to Licensing By-law No. 79-323 as consolidated in By-law 93-069 respecting Transient Vendors.
 - (b) Bill H-22: A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS,
CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 April 8**

REPORT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOSE
ON THE FINANCIAL STATEMENT OF THE CITY OF SAN JOSE

To the Board of the Corporation of the City of San Jose

San Jose, California

The Board of Supervisors of the County of San Jose, in its capacity as the governing body of the County, has the honor to acknowledge the receipt of the financial statement of the City of San Jose for the year ending December 31, 1955.

The Board of Supervisors has caused the statement to be audited by the Auditor-Controller of the County, and the same has been found to be correct and in accordance with the books and records of the City of San Jose.

The Board of Supervisors has caused the following to be printed:

(a) The statement of the City of San Jose for the year ending December 31, 1955, as audited by the Auditor-Controller of the County, and as approved by the Board of Supervisors of the County.

(b) The statement of the City of San Jose for the year ending December 31, 1955, as approved by the Board of Supervisors of the County.

WITNESSED AND APPROVED this 1st day of January, 1956.

JOHN J. HARRIS
County Auditor-Controller

ALFRED A. BOWEN
Chairman of the Board
EDWARD A. BOWEN
Secretary of the Board
EDWARD A. BOWEN
Secretary of the Board

JOHN J. HARRIS
County Auditor-Controller
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Minutes of Hamilton City Council
1993 April 13
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN MUNICIPAL

APR - 1993

GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Anderson, Ross, D'Amico.

Absent: Alderman H. Merling, vacation

Mayor R. M. Morrow called the meeting to order.

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The National Anthem was played.

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Reverend Alan Craig led Council in Prayer.

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Mayor R. M. Morrow presented a Certificate of Recognition to Mr. George Love, President, Barn Fruit Markets Inc. and its parent company G.A. Love Foods Inc. in recognition of being in business in the community for 35 years.

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The minutes of the Regular meeting of 1993 March 30 and the Special meeting of 1993 April 8, were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1993 March 31 from Robert Leggat, Burlington, Ontario for a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District for lands located at the North-West corner of Upper Gage Avenue and Limeridge Road East, Hamilton, Ontario.

Received.

2. Letter dated 1993 April 5 from Messrs. Frank Toth and Tony DiFranco and Mr. Angelo Cocca, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "B-2" (Suburban Residential) District modified (Block "1") and "C" (Urban Protected Residential, etc.) District (Block "2"), for properties at the rear of Nos. 478 and 488 Rymal Road East, Hamilton, Ontario.

Received.

3. Petition dated 1993 April 7 in opposition to amended Zoning Application 92-54 for properties known as 1854-1856 and 1868 Main Street West, Hamilton.

Received.

4. Petition dated 1993 April 12 in opposition to the narrowing of Sanders Boulevard.

Received.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT
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Section 36 Re: By-law to widen and alter Mount Albion Rd in order to provide a left turn lane

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Section 36 of the Fourth Report of the Transport and Environment Committee for 1993 previously approved by City Council at this meeting be reconsidered. **CARRIED.**

Note: Following reconsideration, Section 36 was defeated.

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Section 37 Re: Narrowing of Sanders Blvd. - West Park Ave to Norfolk St - in conjunction with the 1993 Reconstruction Programme

It was moved by Alderman Kiss and seconded by Alderman Cooke that the Fourth Report of the Transport and Environment Committee for 1993 be amended by deleting Section 37 in its entirety and substituting in lieu thereof the following:

37. That approval be given to proceed with the reconstruction of Sanders Blvd. between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme in its existing width and that staff be authorized to consider appropriate streetscape improvements which can be accumulated within the 1% allocated for such purposes. **CARRIED.**

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Section 38 (c) i and (d) Re: Mount Albion Rd - widening to provide a left hand turn lane

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Section 38 of the Fourth Report of the Transport and Environment Committee for 1993 be amended by deleting Sub-Sections "(c) i and (d)". **CARRIED.**

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Section 38 (c) ii Re: Sanders Blvd. - Road Narrowing

It was moved by Alderman Kiss and seconded by Alderman Cooke that Section 38 of the Fourth Report of the Transport and Environment Committee for 1993 be amended by deleting Sub-Section (c) ii. **CARRIED.**

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - SEVENTH REPORT

Section 6 Re: Zoning Application 92-54 - 1868 Main Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Kiss -1.

CARRIED.

**RESOLUTION PREVIOUSLY APPROVED
PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT**

Section 15 Re: Zoning Application 92-53 - 1314 Upper Wentworth Street

It was moved by Alderman Anderson and seconded by Alderman Drury that Section 15 of the Sixth Report of the Planning and Development Committee for 1993 regarding Zoning Application 92-53 to permit a butcher shop as an additional permitted use within the existing building at 1314 Upper Wentworth Street adopted by City Council at its meeting held 1993 March 30 and which reads as follows, **be reconsidered:**

15. That **approval** be given to Zoning Application 92-53, 518374 Ontario Limited, (Angello Papastamos), owner, requesting a further modification to the established "AA" (Agricultural) District regulations, to permit a butcher shop as an additional permitted use within the existing building, on property located at No. 1314 Upper Wentworth Street, as shown on the attached map marked as Appendix "F", on the following basis:

- (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, as amended by By-law No. 92-075, applicable to the subject lands, be further amended as follows:
 - i. That Section 1.(a)(i) Commercial Uses, of By-law 92-075 be amended by adding the words "including an accessory butcher shop" after "a retail variety store" so that the Section reads as follows:
 - "(i) Commercial Uses:
 - 1. a retail variety store including an accessory butcher shop;
 - 2. a business and professional person's office,
within the building existing on the day of the passing of this by-law;"
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1158a, and that the subject lands on Zoning District E-18C be notated S-1158a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council;
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area. **CARRIED.**

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Section 15 Re: Zoning Application 92-53 - 1314 Upper Wentworth Street

It was moved by Alderman Anderson and seconded by Alderman Drury that Section 15 of the Sixth Report of the Planning and Development Committee for 1993 regarding Zoning Application 92-53 respecting 1314 Upper Wentworth Street be referred back to the Planning and Development Committee. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - EIGHTH REPORT

Section 18 Re: Construction Contract - Huntington Park Recreation Centre

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson. -2. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-21, A-22, A-23, A-26, A-27, A-28, A-29, A-30, A-31, A-32, A-33, A-34, A-35.
C-31, C-32, C-33, C-34.
H-23, H-24, H-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

A-21, A-22, A-23, A-26, A-27, A-28, A-29, A-30, A-31, A-32, A-33, A-34, A-35.
C-31, C-32, C-33, C-34.
H-23, H-24, H-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-21, A-22, A-23, A-26, A-27, A-28, A-29, A-30, A-31, A-32, A-33, A-34, A-35.
C-31, C-32, C-33, C-34.
H-23, H-24, H-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-21, A-22, A-23, A-26, A-27, A-28, A-29, A-30, A-31, A-32, A-33, A-34, A-35.
C-31, C-32, C-33, C-34.
H-23, H-24, H-25.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

1993 April 13

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City Council then adjourned at 8:10 o'clock p.m.

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Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 April 13

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FOURTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "One Hour Metered Parking" regulation on the west side of Kensington Avenue North commencing at Main Street East and extending to a point 116 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on the west side of Devonport Street commencing at a point 128 feet south of York Boulevard and extending to a point 17 feet southerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Owczarek, No. 31 Devonport Street; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That a "Permit Parking" regulation be implemented on the west side of Garfield Avenue North commencing at a point 205 feet north of King Street East and extending to a point 20 feet northerly therefrom; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Giovanni Bartolomeo, No. 17 Garfield Avenue North; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.

4.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Locke Street North commencing at a point 103 feet north of York Boulevard and extending to a point 19 feet northerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Jennifer Wootten, No. 152 Locke Street North, and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
5.
 - (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., 7 days a week" regulation be implemented on the east side of Glamis Court commencing at a point 233 feet south of Gemini Drive and extending to a point 22 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
6.
 - (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Jackson Street West commencing at a point 94 feet east of Hess Street South and extending to a point 30 feet easterly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
7.
 - (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 11:00 p.m., 7 days a week" regulation be implemented on the west side of Wood Street West commencing at a point 100 feet south of Burlington Street West and extending to a point 25 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
8.
 - (a) That a "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the east side of Barons Avenue North commencing at a point 190 feet north of Main Street East and extending to a point 18 feet northerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

9. (a) That a "No Parking" regulation be implemented on the east side of Quinn Avenue, commencing at Queen Victoria Drive and extending to a point 119 feet southerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
10. (a) That the existing "No Stopping" regulation on the east side of David Avenue commencing at Fennell Avenue East and extending to a point 124 feet southerly therefrom be changed to a "No Parking" regulation; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
11. (a) That the existing "No Stopping" regulation on the west side of Park Street South which commences at Bold Street and extends to a point 72 feet northerly, be lengthened, such that the regulation commences at Bold Street and extends to a point 92 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
12. (a) That a "Taxi Stand, 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Currie Street commencing at a point 76 feet south of the south curb line of DuBarry Boulevard and extending 60 feet southerly; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That in accordance with the request by the Hamilton Street Railway Company:
 - i. the following bus stop be relocated:
Route 5 Delaware

Westbound - Whitney Avenue, north side, from 59 feet east of the east curb line of Mericourt Road (N/S) to, Whitney Avenue, north side, 81 feet west of the west curb line of Mericourt Road (F/S); and

- ii. the following bus stop be removed:
Route 5 Delaware

Westbound - Whitney Avenue, north side, 222 feet west of the west curb line of Mericourt Road (M/B); and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. That City Council go on record as supporting the Environmental Policy and Code of Ethics of the Transportation Association of Canada attached hereto as Appendix "A".
 15. (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/ Annual	File Number
i.	46 Lochearne Street	concrete veranda and steps measuring 2.41 ft. x 12.5 ft.	\$131./20.	T103-50 (1043)
ii.	169 Gibson Avenue	portion of garage measuring 3.93 ft. x 3.93 ft. onto assumed alleyway	\$131./20.	T103-50 (1044)
iii.	185 Emerald Street South	portion of concrete stoop and stairs measuring 4.35 ft. x 7.30 ft.	\$131./20.	T103-50 (1045)

- (b) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

- (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (d) That the first year fees and subsequent annual fees as noted in Sub-section (a) above be set for the encroachments.
16. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" CLAUDETTE GARDENS - PHASE 3 ", Hamilton

City's Share \$ NIL

Subdivider's Share \$71,766.42

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Claudette Gardens - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
 - (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
 - (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
17. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:

Greenhill Avenue	Part 7	Plan 62R-5638
Balharbour Drive	Parts 3, 4 and 5	Plan 62R-8979
Sparling Avenue	Block 45	Plan 62M-688
Westlawn Drive	Block 46	Plan 62M-688
Public Walkway	Part 2	Plan 62R-12480

- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
- (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
- 18. (a) That the Encroachment Agreement for 77 James Street North, registered as Instrument No. 94586 C.D., be discharged;
- (b) That the Mayor and City Clerk be authorized and directed to execute the discharge documents for the Encroachment Agreement, registered as Instrument No. 94586 C.D., in a form satisfactory to the City Solicitor.
- 19. (a) That the City's "Flat Rate Fee" to be applied to outstanding City of Hamilton municipal servicing costs along "0.3" metre Reserves, be adjusted from the present rate of \$325. per metre frontage and/or flankage to \$290. per metre frontage and/or flankage for 1993.
- (b) That the revised "Flat Rate Fee" be applied to all costs recovered in 1993 along 0.3 metre Reserves after the adoption of the proposed rate.
- 20. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated costs of services in;

" RYMAL SQUARE ESTATES - PHASE 4 ", Hamilton

City's Share \$35,989.72 Subdivider's Share \$294,976.96

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Rymal Square Estates - Phase 4", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.

- (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
- (e) That the City's share for the costs of services in "Rymal Square Estates - Phase 4" (\$35,989.72) be approved and the Finance and Administration Committee recommend the source of funding for this project.
21. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 609143007	Lighting Conversion	1,102,000.	1,102,000.	0.00	Reserve Cap. Proj./ Deb. Sinking Fund
TOTAL		1,102,000.	1,102,000.	0.00	

22. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Financing
a) 649151010	Shop Equipment	39,000.00	35,511.75	3,488.25	Reserve Cap Proj.
TOTAL		39,000.00	35,511.75	3,488.25	

23. (a) That an Option to Purchase, duly executed by Gustav Turnewitsch on 1993 March 12, and scheduled for closing on or before 1993 June 16, for the purchase by the City of a parcel of land being composed of part of Lot 7, Concession 8, formerly in the Township of Barton, now in the City of Hamilton, containing 229.29 square metres (0.056 acres) more or less, shown as Parts 8 and 9 on Plan 62R-9927, be approved and completed, and the purchase price of \$6,800. be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands). Subject land is required for the extension of Eaglewood Drive.
- (b) That it is understood and agreed that all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the One Foot Reserve and recovered at the time of development of the abutting land in accordance with municipal subdivision policies in effect at the time of development.
24. (a) That an Offer to Purchase, duly executed by Elio Bachetti on 1993 March 19 and scheduled to close within thirty (30) days of completion of the conditions as set out in the Agreement, but in any event no later than 1995 March 22, for the sale of part of Eleanor Avenue, Registered Plan 853, designated as Parts 5 and 6 on Reference Plan 62R-12366, more particularly described as having a width of 20.116 metres (65.997 feet) more or less, and a length of 27.204 metres (89.251 feet) more or less, and comprising a total area of 547.2 square metres (5,890.204 square feet) more or less, together with part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Part 1, Reference Plan 62R-12366, being a triangular portion of Eleanor Avenue, having a frontage along the northerly limit of Rymal Road East of 12.192 metres (40.0 feet) more or less, by a depth of 12.192 metres (40.0 feet) more or less, and comprising a total area of 74.3 square metres (799.785 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4. be credited to Account No. CF5698 528946005 (City Share of Services).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of Union Gas over Part 6, Plan 62R-12366.

Regarding such easement(s), the Purchaser acknowledges and agrees:

- i. That the Purchaser is required at his expense to enter into an Easement Agreement with and satisfactory to each Utility in order that such easement shall be registered before the closing of this sale to the Purchaser or registered as required by the Utility;
- ii. That within the said highway being closed and sold to the Purchaser are (or, are intended to be) installed the property of the Utility which neither the City nor the Utility shall be obliged to remove from the said closed highway to accommodate the Purchaser's development or use of the closed highway;
- iii. That the Easement Agreement with the Utility may prohibit the Purchaser's construction of buildings or structures on or beneath the said land and will provide access to the Utility upon the said land for the purpose of operating, maintaining, replacing, or installing such services or other equipment the Utility requires;

The above requirements of the City may only be waived by the City.

- (c) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and closing an Option to Purchase executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The said Option to Purchase and this Offer to Purchase are to be accepted by City Council concurrently and both properties are to be finalized contemporaneously with each other.
- (d) That the closing of this sale to Elio Bachetti be conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above.
- (e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:

- i. The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively on Plan 62R-12366, and the replacement of said asphalt with topsoil and sod.
 - ii. The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
 - iii. The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
- (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
25. (a) That an Option to Purchase Agreement by the City, duly executed by the owner, Elio Bachetti, on 1993 March 19, and scheduled to close within thirty (30) days of the completion of the conditions as set out in the Agreement, but in any event no later than 1995 April 22, for the purchase of those lands described as part of Lot 8, Concession 8, in the geographic Township of Barton, designated as Parts 7 and 8 on Reference Plan 62R-12366, having a frontage along the westerly limit of Eleanor Avenue of 22.098 metres (72.5 feet) more or less, by a depth of 27.432 metres (90.0 feet) more or less, and comprising a total area of 606.5 square metres (6,528.52 square feet) more or less, being a portion of the rear land of municipal address 727 Rymal Road East, be approved and completed, and the purchase price of \$4. be charged to Account No. CF5698 528946005 (City Share of Services).
- (b) That it is understood and agreed that the closing of this Option to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue and a portion of Rymal Road East, more particularly described as Parts 1, 5 and 6, Reference Plan 62R-12366. Said Part 6, Reference Plan 62R-12366, is being sold subject to an easement in favour of Union Gas. The said Offer to Purchase and this Option to Purchase are to be accepted by City Council

concurrently and both properties are to be finalized contemporaneously with each other.

- (c) That the closing of this purchase by the City be conditional upon the closing of the sale to Elio Bachetti provided for in the Offer to Purchase referred to above.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
26. (a) That an Offer to Purchase, to be executed by Lillian Mary Snyder, and schedule to close within thirty (30) days of completion of the conditions as set out in this agreement, but in any event no later than 1995 March 22, for the sale of part of Eleanor Avenue, described as part of Parcel "A", Registered Plan 1007, and designated as Part 4 on Reference Plan 62R-12366, being a triangular parcel of land, having a frontage along the northerly limit of Rymal Road East of 7.010 metres (22.998 feet) more or less, by a depth of 7.010 metres (22.998 feet) more or less, and comprising a total area of 24.6 square metres (264.80 square feet) more or less, be approved and completed, and the funds derived from this sale of \$4. be credited to Account No. CF5698 528946005 (City Share of Services).
- (b) That it be understood and agreed that the closing of this Offer to Purchase is subject to the City of Hamilton accepting and completing an Offer to Purchase executed by Elio Bachetti for the closed portion of Eleanor Avenue, more particularly described as Parts 1, 5 and 6 on Reference Plan 62R-12366, said Part 6 being sold subject to an easement in favour of Union Gas, and the City of Hamilton accepting and completing an Option to Purchase Agreement executed by Elio Bachetti for the purchase of a portion of the property located at 727 Rymal Road East, being rear land and designated as Parts 7 and 8 on Reference Plan 62R-12366, by the City. The aforementioned Offer to Purchase and Option to Purchase together with this Offer to Purchase are to be accepted by City Council concurrently and all properties are to be finalized contemporaneously with each other.

- (c) The closing of this sale to Lillian Mary Snyder is conditional upon the closing of the sale to the City of Hamilton by Elio Bachetti provided for in the Option to Purchase referred to above, and the sale by the City of the lands to Elio Bachetti provided for in the Offer to Purchase referred to above.
 - (d) The City agrees to pay Lillian Mary Snyder's reasonable legal fees, provided the account for legal services, the hourly rate and hours incurred are satisfactory to the City Solicitor.
 - (e) That it be understood and agreed that the closing of this Offer to Purchase is conditional upon the City of Hamilton, its contractors or assigns completing the following works to the City's sole satisfaction:
 - i. The removal of the asphalt road covering of the closed portions of Eleanor Avenue and portions of Rymal Road East, being Parts 2, 3, 5 and 6 and Parts 1 and 4 respectively, and the replacement of said asphalt with topsoil and sod.
 - ii. The removal and restoration of the private driveway belonging to municipal address 741 Rymal Road East and its replacement to Alma Avenue together with all associated works.
 - iii. The removal, restoration and replacement of the private water services currently servicing municipal address 727 and 741 Rymal Road East.
 - (f) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
27. (a) That the Director of Property be directed to negotiate with Mr. A. DiCenzo, owner of DiCenzo Construction Company Limited, for the acquisition of a 12 metre easement through a portion of his lands to be known as Gagliano Drive, required for providing services to Bar-Brock Estates, Phase 3, immediately west of Gagliano Gardens Addition, shown cross-hatched on the attached plan. The necessary expenditures are to be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands).

- (b) That in the event the Director of Property is unsuccessful in negotiating the purchase of the required lands on or before 1993 July 15, the City Solicitor be authorized and directed to initiate expropriation proceedings, and the Director of Property be authorized to retain an independent fee appraiser to prepare an appraisal of market value. The costs are to be charged to Account No. CH5X303 00107 (Services Through Unsubdivided Lands).
28. (a) That the following Tenders to purchase 24 residential building lots in the City's Wheten Court Subdivision (107 Mohawk Road East at Warren) be accepted, provided each purchaser enters into an Agreement of Purchase and Sale with the City within 30 days of this resolution. The successful Tenders recommended by the Property Department are as follows:

DESCRIPTION	PURCHASE PRICE	PURCHASER	DEPOSIT (Certified Cheque)
Lot 1. Plan 62M-674	\$40,000.00	886531 Ontario Ltd.	\$2,000.00
Lot 2. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 3. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 4. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 5. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 6. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 7. Plan 62M-674	40,000.00	886531 Ontario Ltd.	2,000.00
Lot 8. Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 9. Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 10. Plan 62M-674	52,000.00	Carlo Silvestri	2,550.00
Lot 11. Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 12. Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,500.00
Lot 13. Plan 62M-674	55,000.00	Carlo Del Sordo	2,750.00
Lot 14. Plan 62M-674	53,901.00	Blue Paradise Homes	2,695.05
Lot 15. Plan 62M-674	55,500.00	Carlo Del Sordo	2,750.00
Lot 16. Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 17. Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 18. Plan 62M-674	52,901.00	Antonio Paiano	2,645.05
Lot 19. Plan 62M-674	52,000.00	886531 Ontario Ltd.	2,400.00
Lot 20. Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,400.00
Lot 21. Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 22. Plan 62M-674	51,000.00	Carlo Silvestri	2,550.00
Lot 23. Plan 62M-674	50,000.00	Amarjeet Lakhian	2,800.00
Lot 24. Plan 62M-674	50,000.00	886531 Ontario Ltd.	2,500.00

- (b) That upon execution of the Offer to Purchase agreement, a separate certified cheque(s) payable to the City of Hamilton in the amount of \$3,000. is also required for each lot to be held as a refundable security deposit, without interest, pending satisfactory completion of grading specifications.
 - (c) That in the event the successful tenderor does not enter into the said agreement with the City of Hamilton within 30 days of this resolution (in the form of Offer to Purchase agreement attached hereto) the deposit cheque(s) shall be forfeited and surrendered as agreed amount of liquidated damages.
 - (d) That the Mayor and City Clerk be authorized to execute the necessary documents to carry out these lot sales, including the said Offer to Purchase agreements.
 - (e) That the total sale price of \$1,165,104. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases), and the certified deposit cheques in the total amount of \$57,680.20 be held by the City Treasurer pending completion of these transactions.
29. That City Council enact the by-law to authorize construction of local improvements of sidewalks on Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from approximately 86 m south of Skyview Drive to approximately 83 m southerly.
30. That City Council enact the by-law to authorize construction of local improvements of sidewalks on Limeridge Road from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly.
31. That a purchase order be issued to Fortran Traffic Systems Limited, Scarborough, for the supply and delivery of Vehicle Actuated Traffic Controllers as and when required during 1993 by the Traffic Department, being the lowest of five tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Traffic Signal Materials Account No. CH56152 75999.

32. That a purchase order be issued to Steetley Lime & Aggregates, Dundas, for the supply and delivery of Athlete Field Lime as and when required during 1993 by the Public Works Department in the amount of \$14.55 per metric tonne plus applicable taxes, being the lowest acceptable of two tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and be financed through Stock Materials Account No. CH56197 60999.
33.
 - (a) That the alley between Elgin Street and Ferguson Street, from Cannon Street southerly to Kelly Street shown as Part 1 on Plan 62R-12068, be sold to Lockwood Motors Limited for \$24,000.
 - (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
34.
 - (a) That parts of Limeridge Road West (road allowance between Concessions 6 and 7, former Township of Barton) shown as Parts 2, 3 and 7, on Plan 62R-11800, be sold to the Regional Municipality of Hamilton-Wentworth for \$148,000.
 - (b) That the by-law to carry out the sale of the said lands be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
35.
 - (a) That Tom Street, Registered Plan No. 255, designated as Part 3 on Plan 62R-6060 be closed and retained.
 - (b) That the by-law to carry out the closure and retention of the said lands be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.

36. That City Council enact the appropriate by-law to widen and alter Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road, to provide a left turn lane. **LOST.**
37. That approval be given to proceed with the reconstruction of Sanders Blvd. between West Park Avenue to Norfolk Street in conjunction with the 1993 Reconstruction Programme in its existing width and that staff be authorized to consider appropriate streetscape improvements which can be accumulated within the 1% allocated for such purposes. **REPLACED AND CARRIED.**
38. (a) That the 1993 Road and Sidewalk Capital Improvement Programme in the amount of seven million dollars (\$7,000,000.) attached hereto as Appendix "B", be approved; and,
- (b) That the Commissioner of Transportation/Environmental Services be authorized to undertake the works on behalf of the City of Hamilton once all the necessary approvals have been received; and,
- (c) That the Commissioner of Transportation/Environmental Services prepare the necessary by-laws and the City Clerk be authorized and directed to advertise these by-laws as required by Section 300 of the Municipal Act of the City's intention to proceed with the altering of the following streets:
- i. Mount Albion Road from approximately 90 m north of Albright Road to approximately 110 m south of Albright Road - widening to provide a left turn lane.
 - ii. Sanders Boulevard from West Park Avenue to Norfolk Street - road narrowing.
- (d) That the Director of Property be authorized and directed to negotiate the purchase of land required for the widening of the Mount Albion and Albright Road intersection. **DELETED BY AMENDMENT**
- (e) That Section 41 of the Second Report of the Transport and Environment Committee for 1993, be rescinded.

39. That a purchase order be issued to Niagara Paint and Chemical, Hamilton, for the supply and delivery of Traffic Paint as and when required during 1993, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices, and be financed through Pavement Markings Material Account No. 56153 75999.

White and Yellow non-coning in 205 l. containers	\$1.76 l.
White and Yellow coning in 20 l. containers	1.86 l.

GST and PST extra

NOTE: For the information of Council, Niagara Paint and Chemical was not the low bidder on this tender. Due to a minimal difference in bids (+ 1 cent for white and yellow non coning ... and + 2 cents for white and yellow coning ...), the Transport and Environment Committee is recommending that the Hamilton-based company be selected rather than the low bidder, Ibis Products Ltd. Scarborough.

40. (a) That Section 51 of the Third Report of the Transport and Environment Committee for 1993 approved by Council 1993 March 9, respecting A & A Restoration's, be rescinded.
- (b) That a purchase order be issued to Empery Road Services, Hamilton, for removal of pavement markings using Sandblasting Equipment as and when required during 1993 and 1994 by the Traffic Department, being the lowest of three quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Contractual Services Account No. CH56364 75999.
- (c) That A & A Restoration's be deleted from our Bidders' List for a period of four years due to the fact that this current contract is for a two year period and therefore this company would not be entitled to bid on the next tender call.
41. (a) That the City of Hamilton reconfirm its application to the National Transportation Agency of Canada (NTA) for approval to reconstruct the Poulette Street Overhead Bridge, mileage 38.5, Waterford Subdivision, Canadian Pacific Limited, as a pedestrian bridge; and,

- (b) That the cost of reconstruction and future maintenance costs be the responsibility of Canadian Pacific Limited; and,
 - (c) That in making this application the City is reserving all rights and remedies it may have pursuant to the Minutes of Settlement dated 1986 May 1, between the City and CP Rail and, accordingly, such application is to be considered entirely without prejudice to those rights and remedies and no waiver or acquiescence (express or implied) of those rights and remedies can or will be inferred from the City making this application.
42. (a) That the City of Hamilton donate the \$786.45 cost of the installation of the concrete approach to Ronald McDonald House, 1510 Main Street West.
- (b) That the Department of Public Works fund the installation of the approach from its 1993 Current Budget.
43. That leave be granted to introduce the following Bills:
- (a) **A-21** By-law to Authorize the Sale only of Part of an Alley according to Registered Plan No. 255 (Closed by Judge's Order No. 135758) Designated as Part 1, on Plan 62R-12068
 - (b) **A-22** By-law to Authorize the Sale only of Part of Limeridge Road West Road Allowance between Concessions 6 and 7 now closed by By-law No. 72-167 and By-law No. 70-107 being Parts 2, 3 and 7, Plan 62R-11800
 - (c) **A-23** By-law to Stop-up, Close and Retain a Portion of Tom Street
 - (d) **A-24** DELETED
 - (e) **A-25** DELETED
 - (f) **A-26** By-law to Incorporate Part 7, Plan 62R-5638 Greenhill Avenue
 - (g) **A-27** By-law to Incorporate Parts 3, 4 and 5, Plan 62R-8979 Balharbour Drive

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- (h) **A-28** By-law to Incorporate Block 45, Plan 62M-688 Sparling Avenue
- (i) **A-29** By-law to Incorporate Block 46, Plan 62M-688 Westlawn Drive
- (j) **A-30** By-law to Incorporate Part 2, Plan 62R-12480 Public Walkway
- (k) **A-31** By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalk on the east side of Upper Paradise Road from Stone Church Road to approximately 187 m southerly and from approximately 86 m south of Skyview Drive to approximately 83 m southerly
- (l) **A-32** By-law to Authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalks on the south side of Limeridge Road from Upper Wellington Street to approximately 263 m easterly and from approximately 376 m east of Upper Wellington Street to approximately 69 m easterly
- (m) **A-33** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (n) **A-34** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 April 5

Environmental Policy and Code of Ethics

Approved by the TAC Board of Directors
September 15, 1992

*The Transportation Association of Canada (TAC) is a national non-profit association of more than 550 voluntary corporate members and includes the federal, all provincial/territorial and many municipal governments, passenger transport services, goods carriers, contractors, manufacturers, consultants, academic and research groups, and others. The Association's organization includes a **Board of Directors**; an **Executive Committee** of the Board; as well as seven **Councils** and supporting **Standing Committees** and **Project Steering Committees**. In the following Environmental Policy and Code of Ethics, TAC refers to the Board of Directors, the Association's councils and committees and its Secretariat.*

TAC's mission is to promote the provision of safe, efficient, effective and environmentally sustainable transportation services in support of Canada's social and economic goals. In carrying out this mission, TAC encourages its members to:

- *adhere to the following Environmental Policy and Code of Ethics in support of achieving environmentally sustainable transportation services; and*
- *provide leadership in developing their own supporting policies, guidelines and practices.*

ENVIRONMENTAL POLICY

The Transportation Association of Canada (TAC) is committed to protect and enhance the environment when providing transportation services, so as to sustain the earth's ecosystem.

TAC is dedicated to establishing harmony and balance between the transport of people and goods, and the environment in order to achieve a sustainable social and natural environment.

ENVIRONMENTAL CODE OF ETHICS

The Transportation Association of Canada encourages its members to adhere to the following Code of Ethics and to use it as a basis for the development of transportation-related codes of practice. The essence of this code of ethics is to espouse an understanding of, and respect for, the rights of people and the environment and their inter-relationships.

Mainstreaming Environmental Concerns

Every activity, be it policy or project development, operations, or influence, has positive and negative environmental effects. Therefore, environmental considerations should be integrated into day to day activities and long-term decision-making, fostering a commitment to environmental protection within the transportation sector.

Continuous Improvements

Environmental protection and enhancement are an ongoing responsibility. Therefore, policies, plans, programs, projects and activities should be monitored, reviewed and improved on an ongoing basis.

Incremental Effects

Environmental degradation results from the aggregation of many small impacts over extended periods of time. Therefore, the cumulative environmental effects of transportation activities should be assessed and remedial action taken to minimize those effects.

Partnership and Awareness

To enhance the decision-making process and raise awareness about transportation-related environmental issues and problems, open communication and partnership with all stakeholders should be encouraged.

Public Participation

In recognition of the need for open communications and partnerships with stakeholders, actions should be sensitive and responsive to the public's concerns and their right to know about transportation-related environmental issues. The public should be involved in the resolution of these issues.

Proactive Planning

Environmental problems should be anticipated and addressed when developing policies, plans, programs, standards and/or guidelines.

Integrated Transportation Planning

A healthy environment depends on sound planning. Therefore, land use, transportation, and environmental planning should be integrated, fostering a multi-modal approach to meeting Canada's transportation needs. A full range of alternative solutions should be considered, emphasizing the management of the demand for, and supply of, transportation services.

Research and Development

In recognition of the importance of knowledge to environmental protection and enhancement, leadership in the research and development of environmentally compatible transportation technologies and methods should be provided and openly shared with others.

Product Stewardship

All materials (hazardous and non-hazardous) should be handled in a way that protects health and the environment.

Products and Processes

In recognition of the need to integrate environmental concerns into all aspects of transportation, environmentally compatible products and processes should be used.

Atmospheric Protection

Transportation-related air emissions, especially those that contribute to global warming, urban smog, ozone depletion, acid rain, as well as other adverse effects on health and the natural environment should be minimized or eliminated.

Surface and Ground Water Protection

In recognition of the necessity of clean water to health, the economy, and the ecosystem, discharges of transportation-related contaminants to surface (fresh and salt water) and ground water should be minimized. Water should also be used in a wise and efficient manner.

Land Protection

Transportation facilities should be planned so as to conserve land resources generally and to preserve and protect lands that are needed to sustain future generations. Furthermore, site contamination should be avoided and land clean-up undertaken as appropriate.

Conservation of Resources

Energy and other resources should be conserved with particular emphasis on reducing dependence on non-renewable resources.

Waste Management

Waste discharges to the environment should be continually reduced through the development and application of 3R (Reduce, Reuse and Recycle) programs and technologies.

Special Spaces and Species

Given the importance of natural habitats to the long-term survival of plants, animals, and aquatic life, these areas should be protected and enhanced. As well, areas containing physical features of significant interest should be protected.

Noise Reduction

Transportation-related noise impacts should be minimized.

Appreciation of Canada's Cultural Heritage

Historical sites, archaeological resources and other aspects of our diverse cultural heritage should be preserved for future generations.

Aesthetics

Transportation facilities should be planned, designed and constructed with due consideration for the visual environment into which they are placed.

ENVIRONMENT ADVISORY COUNCIL

The Environmental Policy and Code of Ethics was prepared by TAC's Environment Advisory Council on request from the Board of Directors.

The objectives of this council are to:

- raise awareness of environmental issues in transportation for the TAC membership;
- provide a forum for discussion and education about environmental issues; and
- encourage and assist TAC members in seeking effective resolution of specific environmental issues.

The membership of this council includes federal and provincial governments (transportation and environment), municipal governments, vehicle manufacturers, roadway contractors, carriers (truck, transit, rail, air, ports) motorists, academics and consultants.

For additional copies of this policy and code, or for more information on the activities of the Environment Advisory Council, please contact:

Russ Smith

Secretary, Environment Advisory Council
Transportation Association of Canada
2323 St. Laurent Blvd., Ottawa, Ontario K1G 4K6
Telephone (613) 736-1350 Fax (613) 736-1395



1993 April 13

CITY OF HAMILTON
1993 ROAD AND SIDEWALK IMPROVEMENT PROGRAMME

A. Roads and Abutting Sidewalks

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Bond Street	King	Main	in conjunction with sewer work	\$ 487,300.
East 14th Street	Inverness	North End	1992 Carry Over	208,800.
Nottingham Avenue	Tenth	Winchester	1992 Carry Over	172,100.
Ratcliffe Court	Dunkirk	South End		79,600.
Rennie Street	Parkdale	Waterloo	1992 Carry Over	1,327,800.
Whitney Avenue	Main	155m east of Rifle Range	in conjunction with sewer work	1,127,800.
Contingency				

503 These projects are being included on the Programme but are contingent upon Regional Environmental Services Budget approval.

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Central Avenue	Summerhill	Parkdale	in conjunction with sewer work	136,600.
David Avenue	South Bend	Duncombe	in conjunction with sewer work	117,100.
Dodson Street	South Bend	McElroy	in conjunction with sewer work	61,400.
Hoover Crescent	Fennell	Welbourn	in conjunction with sewer work	44,500.
McElroy Road	Dodson	Welbourn	in conjunction with sewer work	59,600.
Seven Oaks Drive	South Bend	Delevan	in conjunction with sewer work	16,500.
Sheridan Drive	East 16th	Holt	in conjunction with sewer work	149,800.
South Bend Road	Dodson	Seven Oaks	in conjunction with sewer work	102,400.
Tragina Avenue	Main	82m south of Monterey	in conjunction with sewer work	556,400.
Welbourn Drive	Hoover	McElroy	in conjunction with sewer work	221,900.

B. Sidewalks on Regional Roads

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Fennell Avenue	Upper Ottawa	Mountain Brow	\$179,800.
Garth Street	Fennell	Bendamerie	65,200.
Mohawk Road	Upper Sherman	Upper Ottawa	279,800.
Provision for sidewalks on Regional Road Projects - approval pending			587,000.

C. Sidewalks and Road Resurfacing

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>ESTIMATE</u>
Brunswick Street	Vansitmart	Walmer	100,000.
Chednac Drive	Rice	270m westerly	50,000.
Kirk Road	Beach Boulevard	West End	17,700.
Mareve Avenue	Beach Boulevard	East End	19,400.
Osbourne Street	Barton	Walmer	131,200.
Walmer Road	Woodward	Talbot	145,800.

D. Miscellaneous Projects

<u>DESCRIPTION</u>	<u>ESTIMATE</u>
Catch Basin and Drain Connections	
-various locations in conjunction with Regional Local Improvement sewers	50,000.
Streetlighting - various locations - modifications and upgrades generally in conjunction with road works	434,500.

1993 April 13

April 16, 1993

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E. Supplementary List

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>COMMENTS</u>	<u>ESTIMATE</u>
Macklin Avenue Macauley Street Sanders Boulevard	drainage channel slope stabilization John Norfolk	Wellington West Park	Existing width to be maintained	180,000. 309,500. 963,700.

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **FIFTH** Report for 1993 and respectfully recommends:

1. (a) That qualified City forces required to eliminate safety hazards and removal of all brush/branch debris resulting from the 1993 April 1 ice storm be maintained until the clean-up is complete, expected to require 42 working days from date of the storm.
- (b) That costs associated with the clean-up program be charged to Centre 60428 -Arboriculture-Storm Damage.
- (c) That the projected budgetary impacts of the clean-up work be forwarded to the Finance and Administration Committee for information at this time and that upon completion of the clean-up a more detailed report be submitted to the Transport and Environment Committee for its consideration.
2. (a) That an "Alternate Side Parking" regulation be implemented on East 13th Street from Inverness Avenue East and Mountville Avenue such that winter parking prohibition is on the west side of the street.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

1993 April 13

3. That leave be granted to introduce the following Bill:

(a) **A-35** By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 April 6

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SEVENTH** Report for 1993 and respectfully recommends:

1. That a purchase order be issued to Johnson, Sustrunk, Weinstein & Associates, Richmond Hill, in the amount of \$59,517.78 including all taxes, for consulting services to prepare a master plan, detailed concept plans and cost estimates for the revitalization of Ferguson Avenue, being the lowest acceptable of five proposals received in accordance with the Request for Proposal issued by the Manager of Purchasing and Vendor's submission, and be financed through Ferguson Avenue Phase IV, Downtown Action Plan, Administration Account No. CF5698 428803006.
2. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 36 Pearl Street North
 - (b) 623 Limeridge Road East
3.
 - (a) That Council for the City of Hamilton has no objections to the policies in the draft "New Official Plan" for the Halton Region since it does not affect the planning intentions of the City of Hamilton.
 - (b) That the City Clerk forward City Council's decision to Halton Regional Council.

4. That **approval** be given to Zoning Application 93-11, Rolanco Networking, owner, requesting removal of the 'H' (Holding) symbol provision under Section 36 of the Planning Act, to permit conversion of the existing building for a dental office having a maximum gross floor area of 95.0 m² (1,000 sq. ft.) on the first floor only, and one dwelling unit on the second floor only, and that the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law 92-305, and Zoning District Map E-18 for presentation to City Council, for lands located at No. 860 Upper Wentworth Street, as shown on the attached map marked as Appendix "A".

5. That **approval** be given to Zoning Application 93-04, Highridge Developments (Hamilton) Ltd., owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit development of the subject lands in conjunction with adjacent lands to the north for four (4) single-family dwelling lots fronting onto Rexford Drive, for property located south of Rexford Drive and east of Ardleigh Street, as shown on the attached map, marked as Appendix "B", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C for presentation to City Council; and
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

6. A. That **approval** be given to amended Zoning Application 92-54, Max Mintz, owner, requesting a modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for Block "1", and a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for Block "2", to permit an additional six dwelling units, for properties known as 1854-1856 and 1868 Main Street West, shown as Blocks "1" and "2" on the attached map marked as Appendix "C", on the following basis:

- (a) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to Block "1", be modified to include the following variances as special requirements:
 - i. Notwithstanding Section 11, a maximum of 153 dwellings units shall be permitted;
 - ii. Notwithstanding Section 18A(1)(a), a minimum of 160 parking spaces shall be provided and maintained on-site;
 - iii. Section 18A(1)(c) shall not apply; and,
 - iv. Subsection 18A (11) and (12) shall not apply to the southerly boundary of the rear parking area;
- (b) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, as amended by By-law No. 10564, applicable to Block "2", be further modified to include the following variances as special requirements:
 - i. Notwithstanding Section 11, a maximum of 134 dwelling units shall be permitted;
 - ii. Notwithstanding Section 18A(1), a minimum of 135 parking spaces shall be provided and maintained on-site and an additional 5 required parking spaces shall be provided and maintained off-site located on Block "1"; and,
 - iii. Section 18A(1)(c) shall not apply.
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-4a, and that the subject lands on Zoning District Map W-51 be notated S-4a;

- (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-51 for presentation to Council;
 - (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. That the by-law not be forwarded for passage by Council until such time as the applicant has applied for and received approval of a Site Plan showing the existing and proposed parking layout, as well as the establishment of an access right-of-way to the parking spaces at 1854 and 1856 Main Street West exclusively for the residents of 1868 Main Street West.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Kiss -1.

CARRIED.

7. That Zoning Application 92-44, Emilia Fazekas, Angelo Nardi, and Quinn Staunitzky, owners, requesting a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to legalize the existing four (4) family dwelling, for the property located at 280 Aberdeen Avenue, shown on the attached map marked as Appendix "D", be **denied** for the following reasons:
- (a) It conflicts with the approved Kirkendall North Neighbourhood Plan which designates the lands "Single and Double Residential";
 - (b) It conflicts with the recently adopted Housing Intensification Strategy and implementing By-law, in that the additional fourth unit exceeds the maximum two (2) units to be permitted for residential conversions in a "D" District, more than 50% of the required front yard will be utilized for parking, and less than 50% of the gross area of the front yard will be used for a landscaped area; and,

- (c) Approval of the application would encourage other similar applications which, if approved, would undermine the intent of the Zoning By-law.
8. That leave be granted to introduce the following Bills:
- (a) C-31 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Part of Municipal No. 96 Mary Street (Beasley Park).
 - (b) C-32 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-003 respecting Land Located at Municipal No. 1341 Upper James Street.
 - (c) C-33 By-law to Amend Zoning By-law No. 6593 as amended by Zoning By-law No. 92-305 respecting Land Located at Municipal No. 860 Upper Wentworth Street.
 - (d) C-34 By-law to Designate Land Located at Municipal No. 114 John Street North as Property of Historic and Architectural Value and Interest.

RESPECTFULLY SUBMITTED,

**ALDERMAN F. EISENBERGER, VICE CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 April 7

Subjoined is a copy of Section 15 of the Sixth Report of the Planning and Development Committee for 1993 regarding Zoning Application 92-53 to permit a butcher shop as an

additional permitted use within the existing building at 1314 Upper Wentworth Street adopted by City Council at its meeting held 1993 March 30 which was reconsidered and referred back to the Planning and Development Committee.

15. That approval be given to Zoning Application 92-53, 518374 Ontario Limited, (Angello Papastamos), owner, requesting a further modification to the established "AA" (Agricultural) District regulations, to permit a butcher shop as an additional permitted use within the existing building, on property located at No. 1314 Upper Wentworth Street, as shown on the attached map marked as Appendix "F", on the following basis:

(a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, as amended by By-law No. 92-075, applicable to the subject lands, be further amended as follows:

i. That Section 1.(a)(i) Commercial Uses, of By-law 92-075 be amended by adding the words "including an accessory butcher shop" after "a retail variety store" so that the Section reads as follows:

"(i) Commercial Uses:

1. a retail variety store including an accessory butcher shop;

2. a business and professional person's office,

within the building existing on the day of the passing of this by-law;"

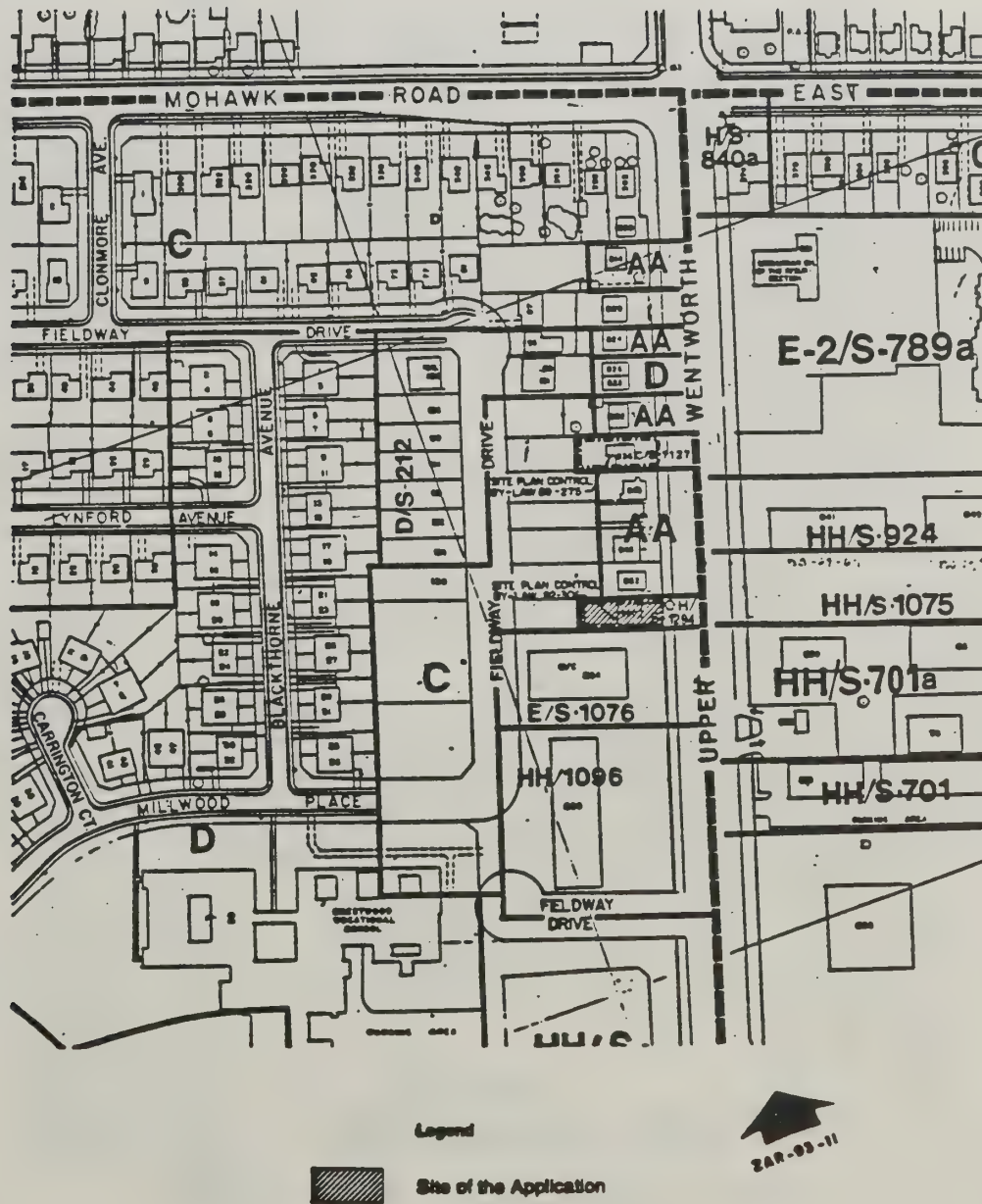
(b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1158a, and that the subject lands on Zoning District E-18C be notated S-1158a;

(c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council;

(d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

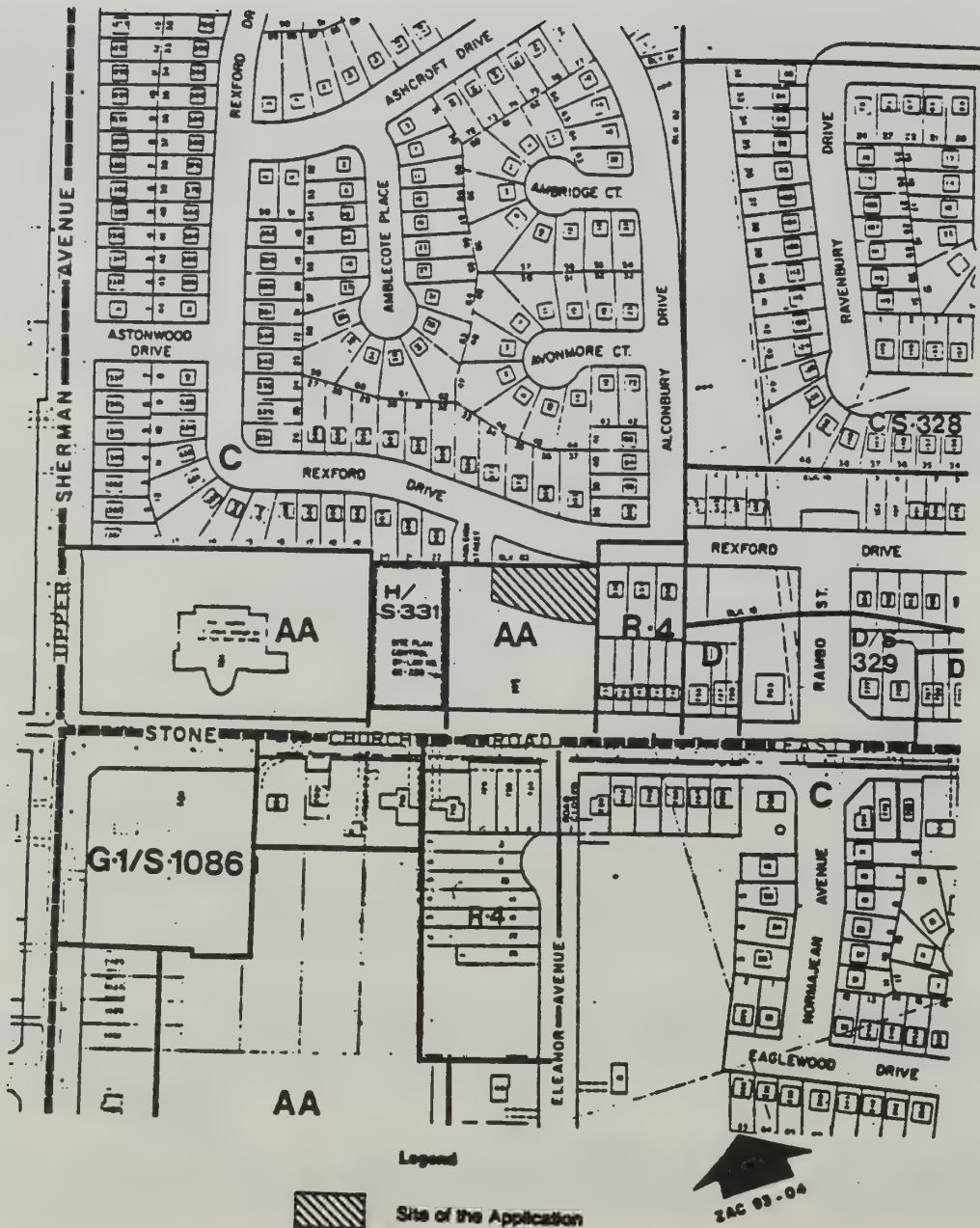
1993 April 13

Appendix "A" as referred to
in Section 4 of the SEVENTH
Report of the Planning and
Development Committee for
1993



1993 April 13

Appendix "B" as referred to
in Section 5 of the SEVENTH
Report of the Planning and
Development Committee for
1993



1993 April 13

Appendix "C" as referred to
in Section 6 of the SEVENTH
Report of the Planning and
Development Committee for
1993



Legend

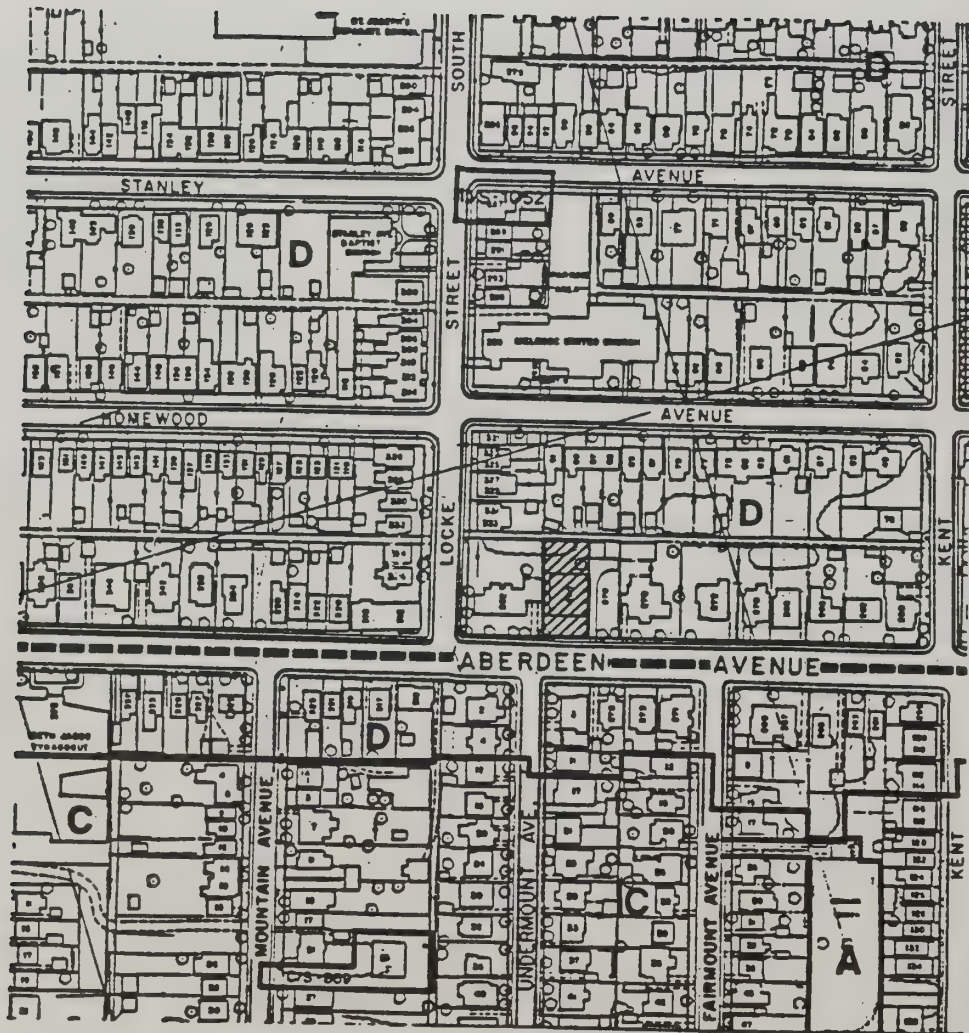
Sites of the Application

- | | | |
|----------------|---|---|
| BLOCK 1 |  | Proposed modification to the "E" (Multiple Dwellings, Lodges Clubs, etc.) District regulations. |
| BLOCK 2 |  | Proposed further modification to the "E" (Multiple Dwellings, Lodges Clubs, etc.) District regulations. |



1993 April 13

Appendix "D" as referred to
in Section 7 of the SEVENTH
Report of the Planning and
Development Committee for
1993



Legend



Site of the Application



ZA-82-44

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. (a) That Mr. J. Pavelka, Director of Public Works, be re-appointed Chief Administrative Officer for the period 1993 June 1 through 1993 December 31 within the salary range "A" and that the City Solicitor be authorized and directed to amend the necessary by-laws and that Mr. J. Pavelka be re-appointed as Director of Public Works, effective 1994 January 1; and,
- (b) That Mr. D. Lobo, Manager of Streets and Sanitation, be re-appointed as Director of Public Works for the period 1993 June 1 through 1993 December 31 within the salary range "B" and that effective 1994 January 1 be re-appointed as Manager of Streets and Sanitation; and,
- (c) That the process of advertising for a City of Hamilton Chief Administrative Officer commence immediately; and,
- (d) For the information of the members of City Council, the Finance and Administration Committee, in accordance with approved policy procedures, have appointed a Selection Committee for a City of Hamilton Chief Administrative Officer consisting of the following:
 - (i) Mayor Robert M. Morrow
 - (ii) Alderman D. Ross, Chairperson of the Finance and Administration Committee
 - (iii) Alderman B. Charters, Vice-Chairperson of the Finance and Administration Committee
 - (iv) Alderman G. Copps
 - (v) Alderman D. Agostino

- (e) That the Terms of Reference for One-Tier Administration be tabled within 30 days and a Consultant hired within 60 days.
- 2. That the Corporation of the City of Hamilton adopt a policy of giving preference for summer employment to social assistance recipients (50% of hires) in 1993.
- 3. That the Parking Authority be authorized to purchase one 3/4 Ton Van as a replacement to an existing 1980 1/2 Ton Pick-up Truck at an approximate cost of \$18,000. Funds are available within the Parking Authority Vehicle Depreciation Account.
- 4.
 - (a) That approval be given to the request of the Canusa Games Board of Directors to use the City Hall Forecourt and have access to the first floor washrooms on Sunday, 1993 August 8, from 9:00 a.m. to 12:00 noon, for the purposes of holding the 1993 Canusa Games Closing Ceremonies; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 5.
 - (a) That the Culture and Recreation Department be granted approval to use the Council Chamber as follows:
 - (i) Wednesday, 1993 April 28, from 6:30 - 10:00 p.m., for a Community Services Marketplace; and,
 - (ii) Wednesday, 1993 November 24, from 6:30 - 10:00 p.m., for an Information Meeting.
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 6.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the use of the Council Chambers by the Niagara Chapter of the Ontario Building Officials Association to hold its March monthly chapter meeting on Thursday, 1993 March 25, from 7:30 - 10:30 p.m.; and,

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 7.
 - (a) That approval be given to the request of the Hamilton Area March for Jesus Co-ordinating Committee to use the City Hall forecourt and related equipment on Saturday, 1993 April 17 at 11:00 a.m., for a concert of praise; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 8.
 - (a) That the Manager, Property Maintenance Division, be authorized and directed to erect a reviewing stand and all other pertinencies on the south sidewalk on Main Street West in front of City Hall on Saturday, 1993 May 29, to be in place from 8:45 a.m. to 11:45 a.m., on the occasion of the annual Boy Scout and Girl Guide Parade; and,
 - (b) That Scouts Canada be granted permission to use the forecourt and forecourt area east of City Hall for a dispersal area following the Boy Scout and Girl Guide Parade; and,
 - (c) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 9.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the Greek Flag to be flown at City Hall from Wednesday, 1993 March 24 - Sunday, March 28, to commemorate Greek Independence celebrations; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 10.
 - (a) That approval be given to the request of the Tourette Syndrome Foundation of Canada, Hamilton Region Chapter, to fly the Tourette Syndrome Foundation of Canada Flag at City Hall during 1993 June, to commemorate Tourette Syndrome Awareness Month; and,

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 11.
 - (a) That approval be given to the request of the Culture and Recreation Department to use the first floor foyer at City Hall on Wednesday, 1993 May 12 from 10:00 a.m. - 3:00 p.m., to hold registration for nominations to the Senior Citizens' Council for the City of Hamilton and to display the Senior Council Sign; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 12.
 - (a) That approval be given to the request of the Latvian Community Organizing Committee to use the Council Chamber and second floor foyer on Saturday, 1993 November 20, from 10:00 a.m. until 2:00 p.m., to celebrate the 75th Jubilee of Independence Day for Latvia; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 13. That as referred to in Section 20 of the Fourth Report for 1993 of the Transport and Environment Committee, the City's share of "Rymal Square Estates - Phase 4" Servicing, at a cost of \$35,989.72, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
- 14.
 - (a) That the contract, originally awarded to General Tire Canada Inc., for the supply and maintenance of tires for various City Departments, originally approved by City Council in 1991 June, be assigned to Jensen & Sons Tire Ltd., Hamilton; and,
 - (b) That the City exercise its option to extend the contract with Jensen & Sons Tire Ltd., Hamilton, for one additional one year term.

15.
 - (a) That the Treasurer be authorized to make application to the Minister of Transportation for the City of Hamilton 1993 Normal and Supplementary Requests for Subsidy Monies under the Public Transportation and Highway Improvement Act based on the estimated maintenance and construction expenditures (both total and eligible) as contained in the 1993 Current and Capital Budgets as indicated on the schedule attached herewith and marked Appendix "A"; and,
 - (b) That the Treasurer be authorized to petition the Minister for subsidy payments as necessary; and,
 - (c) That the Treasurer be authorized to monitor expenditures and incur only minimal 100% dollars to obtain maximum subsidy dollars in the event that a Supplementary Application is not approved.
16. That the City Solicitor be authorized and directed to amend Adult Entertainment Parlour By-law 79-144 to provide for the following:
 - (a) To reduce the number of Class "H" Adult Entertainment Parlour licences from eight (8) to four (4); and,
 - (b) To apply the current by-law restrictions on Adult Entertainment Parlours locating near residential and other prohibited areas to any location which has ceased to be used as a Class "H" Adult Entertainment Parlour; and,
 - (c) To reduce the total number of Class "H" Adult Entertainment Parlours from four (4) to two (2) as the licences expire without renewal by the licence holder or as the licences are surrendered or lawfully revoked.
17. That the Mayor and a maximum of six (6) Aldermen be authorized to attend the 56th Annual Conference of the Federation of Canadian Municipalities to be held in Edmonton, Alberta, 1993 May 28 - 31.

18. (a) That approval be given to amend the Construction Contract pertaining to the Huntington Park Recreation Centre between the City of Hamilton and Valee-Way General Contractors Ltd. from \$2,492,400. + GST to \$2,778,400. + GST to allow the City to renovate additional building elements as authorized by City Council on 1992 June 30; and,
- (b) That approval be given to amend the Consultant Contract between the City of Hamilton and Chamberlain Architect from \$222,308.50 + GST to \$233,908.50 + GST for extra services as a result of the additional renovations in (a) above; and,
- (c) That the total project cost approved by City Council on 1991 January 29, be increased from \$3,200,000. to \$3,385,000. to cover the Architectural Division estimated charges to the end of warranty period in 1995; and,
- (d) That the City Treasurer be authorized to reduce the debenture approval (Net City Financing) from the original amount of \$3,200,000. to \$3,075,000.; and,
- (e) That the amendments to the contracts, satisfactory to the City Solicitor, be executed; and,
- (f) That the Mayor and the City Clerk initiate the amendments to the Contract on behalf of the City.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Wilson. -2.

CARRIED.

1993 April 13

19. That leave be granted to introduce the following Bills:

- (a) Bill H-23 A By-law to authorize an amendment to the Construction of a Senior Citizen's Centre at Sackville Hill Memorial Park.
- (b) Bill H-24 A By-law to amend By-law 79-144 respecting Class "H" Adult Entertainment Parlour Licences.
- (c) Bill H-25 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1993 April 8

Appendix "A" referred
to in Section 15 of the
EIGHTH Report of the
Finance and Administration
Committee for 1993.

City of Hamilton
Treasury

File: 93N&SAPP

The Public Transportation and Highway Improvement Act
1993 Request for Allocation of Subsidy Monies

Detail of Expenditure (1)	Estimated		
	Total Expenditure (2)	Eligible Expenditure (3)	Subsidy Dollars (4)
Normal Application			
Maintenance	10,417,360	9,341,130	4,670,565
Construction	7,482,100	3,878,270	1,939,135
	17,899,460	13,219,400	6,609,700
Supplementary Application			
Construction	2,056,460 *	1,053,730	526,865
Total Applications	19,955,920	14,273,130	7,136,565

* These expenditures will not be incurred until a
Supplementary Application is approved by the Minister.

Minutes of Hamilton City Council
1993 April 27
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Ted Slaman, Annunciation of Our Lord led Council in Prayer.

* * * * *

Mayor R. M. Morrow, introduced Milton Lewis, Q.C. and Vincenza Travale, Co-Chairs of
Hamilton Sesquicentennial Committee

* * * * *

Mayor Morrow proclaimed the following:

- (a) "The Salvation Army Red Shield Month - Month of May, 1993"
- (b) "Arbour Week - 1993 April 30 to 1993 May 9th"
- (c) "Battle of Atlantic" (1939-1945) - 50th Anniversary, 1943 May 1
- (d) "Jeans Day" May 6 and May 7, 1993

* * * * *

The minutes of the Regular meeting of 1993 April 13 were adopted as circulated.

CORRESPONDENCE

1. Letter dated 1993 April 15 from R. Scott Smith, Secretary to the Board, The Hamilton Harbour Commissioners, Hamilton, Ontario for amendments to Hamilton Harbour Cargo Rates Tariff, PC. 1990-1592.

Referred to the Transport and Environment Committee

2. Application dated 1993 April 15 from DiCenzo Construction Company Limited, Hamilton, Ontario for a change in Zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located east of DiCenzo Drive and south of Stone Church Road East, Hamilton, Ontario.

Received.

3. Letters dated 1993 February 22 and 1993 April 26 respectively from R.R. Hennessy, P. Eng. the Port Director, Hamilton Harbour Commission respecting the Windermere Basin Rehabilitation Project.

Referred to the Transport and Environment Committee

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0. **CARRIED.**

PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

Section 4 Re: Sale of beer - Hamilton & District Ladies Industrial Softball League - Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 5 Re: Sale of Food and Alcoholic Beverages - Vintage Auto Sprints - Dundurn Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 7 Re: City of Hamilton Canada Day Celebrations - Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1. **CARRIED.**

* * * * *

Section 8 Re: Sale of food and alcoholic beverages - Portuguese Association of St. Michael the Archangel - Dundurn Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

**Section 9 Re: Sale of food and alcoholic beverages - Mozart Chamber Orchestra -
Dundurn Park**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -
15.

NAYS: Aldermen Copps, Jackson. -2. **CARRIED.**

* * * * *

**Section 10 Re: Sale of food and alcoholic beverages - Hamilton and District Labour
Council - Dundurn Park Pavilion**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico,
Ross. -16.

NAYS: Alderman Jackson. -1. **CARRIED.**

* * * * *

Section 11 Re: Closure of Capital Project Accounts

It was moved by Alderman Copps and seconded by Alderman Jackson that the total figures in Section 11 of the Eighth Report of the Parks and Recreation Committee relating to the closure of Capital Project accounts be amended to correctly read as follows:

	Authorized Gross Cost	Expended/ Committed To date	Balance Available
Total	\$407,000.	\$ 394,518.71	\$ 12,481.29 CARRIED.

* * * * *

Section 12 Re: Street Tree Cleanup - 1993 April 1 - Ice Storm

It was moved by Alderman Jackson and seconded by Alderman Copps that Section 12 of the Eighth Report of the Parks and Recreation Committee for 1993 be amended by deleting Sub-sections (b) and (c). CARRIED.

* * * * *

Section 19 Re: West Mountain Twin Pad Arena and Community Centre Budget - "Seed" money for Bocci Facility

It was moved by Alderman Jackson and seconded by Alderman Anderson that Section 19 of the Eighth Report of the Parks and Recreation Committee for 1993 be amended by adding the words "(with adjustments)" in Sub-sections (a) and (d) following the amount of \$123,000. CARRIED.

PARKS AND RECREATION COMMITTEE - NINTH REPORT

Section 4 Re: Harm Schilthuis and Sons Ltd. - Supply and Installation of a pier structure, pavilion and floating dock at Pier 4 Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT

Section 3 Re: 1993 Canadian Institute of Planners Conference - Victoria, British Columbia

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - NINTH REPORT

**Section 3 Re: Frank Bufalino & Sons Construction Ltd. - New Fire Station 4
- Upper Sherman Ave**

It was moved by Alderman Copps and seconded by Alderman Merling that section 3 of the Ninth Report of the Finance and Administration Committee be referred back and that a report be prepared on the potential positive and negative impact on this years budget.

Recorded vote to refer back Section 3

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Charters, Jackson, Merling. -8.

NAYS: Mayor Morrow, Aldermen Cooke, McCulloch, Wilson, Agostino, Eisenberger,
Anderson, D'Amico, Ross. -9. **LOST.**

Recorded vote on Section 3

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli,
Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Charters, Jackson. -3. **CARRIED.**

FINANCE AND ADMINISTRATION COMMITTEE - TENTH REPORT

Section 1 Re: Document entitled "Jobs and Services: A Social Contract for the Ontario Public Sector and Ontario's Expenditure Control Plan"

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Section 1 of the Tenth Report of the Finance and Administration Committee be amended by adding the following as sub-section (c)

- (c) "That a copy of this resolution be forwarded to the Association of Municipalities of Ontario for their support."
CARRIED.

RULE NO. 8 OF PROCEDURAL BY-LAW 82-203

It was moved by Alderman Drury and seconded by Alderman McCulloch that Rule No. 8 of the City's Procedural By-law be temporarily suspended for this meeting of City Council in order to consider a resolution regarding the pursuit of a N.H.L. franchise.

CARRIED.

RESOLUTION RE: N.H.L. FRANCHISE

It was moved by Alderman Drury and seconded by Alderman Cooke that the City of Hamilton confirm its commitment to the pursuit of an N.H.L. franchise for Copps Coliseum, and

That it confirm the mandate of the Mayor and the H.E.C.F.I. Board to negotiate an agreement with a potential N.H.L. tenant, and

That such agreement be for the consideration and approval of the City Council.

CARRIED.

* * * * *

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman G. Copps be appointed Acting Mayor for the month of May, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-35, C-36, C-37, C-38, C-39.

H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37, H-38.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

C-35, C-36, C-37, C-38, C-39.

H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37, H-38.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-35, C-36, C-37, C-38, C-39.

H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37, H-38.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-35, C-36, C-37, C-38, C-39.

H-26, H-27, H-28, H-29, H-30, H-31, H-32, H-33, H-34, H-35, H-36, H-37, H-38.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

1993 April 27

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 April 27

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. That approval be given to the Chairperson of the Parks and Recreation Committee or his designate to attend the 1993 Children's Games scheduled for 1993 July 15 to July 17 in Darmstadt, Germany.
2. (a) That the Department of Culture and Recreation proceed within the Corporate Restructuring with a Departmental Realignment of operations to provide the base for the 1994 current budget allocation at the 1993 level. This realignment to include:
 - i. A review of facility based supervision
 - ii. A review of operational options for arenas
 - iii. A review of core programs and services
 - iv. A review of levels of subsidies for programs
 - v. A cost recovery business plan
 - vi. A review of facility seasons and hours
 - vii. A decentralized operation centre for the mountain
- (b) That appropriate union and non-union staff consultation be an integral part of this realignment.
3. That the Director of Culture and Recreation be authorized to promote and encourage participation in Hamilton's 2nd Annual "Bike to Work Week" 1993 May 31 to June 6 to include a Family Bike Ride.

4. That permission be granted to the Hamilton and District Ladies Industrial Softball League to sell beer during the occasion of their softball tournament, scheduled at Globe Park, commencing 1993 May 21 to May 23, under the terms and conditions which includes the following:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

5. That the Vintage Auto Sprints at Christie Inc. be granted permission to have food and alcoholic beverages on the occasion of the Vintage Auto Sprints at Christie Inc. "Cocktails and Canapes Civic Reception", 1993 August 20 at the Dundurn Park Pavilion, subject to the following terms and conditions:
- (a) Proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)
 - (c) That alcoholic beverages may be served in the confined area of the Pavilion on 1993 August 20, from 7:00 o'clock p.m. to 9:00 o'clock p.m. upon receipt of approval of the Liquor Licence Board.
 - (d) That a special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (e) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

6. That organizations non-resident of the City of Hamilton be charged a 50% surcharge on all rental rates applicable to major sports facilities.

7. That the City of Hamilton Canada Day Celebrations be held at Mohawk Sports Park Thursday, 1993 July 1st noon to dark, with sporting events throughout the day and a fireworks display in the evening.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

8. That the Portuguese Association of St. Michael the Archangel be granted permission to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, 1993 June 4, June 5 and June 6, in the Dundurn Park Pavilion, subject to the following terms and conditions:

- (a) Proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, naming the City as co-insured.
- (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)
- (c) That alcoholic beverages may be served in the confined area of the Pavilion on June 4 from 11:00 o'clock a.m. to 8:00 o'clock p.m., June 5 from 9:00 o'clock a.m. to 11:00 o'clock p.m. and June 6 from 9:00 o'clock a.m. to 10:00 o'clock p.m. upon receipt of approval of the Liquor Licence Board.
- (d) That a special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
- (e) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

9. That the Mozart Chamber Orchestra organizers be granted permission to sell food and alcoholic beverages on the occasion of the Lobsterfest, 1993 August 21 and August 22 in Dundurn Park, from 6:00 o'clock p.m. to 1:00 o'clock a.m. subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour-related charges associated with the event (set-up, dismantling, clean-up, etc.).
 - (c) That alcoholic beverages be served in the confined area of the Pavilion.
 - (d) That the applicant adhere to all regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
 - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen Copps, Jackson. -1.

CARRIED.

10. That the Hamilton and District Labour Council be granted permission to sell food and alcoholic beverages on the occasion of their Labour Day Parade and Picnic, to be held Monday, 1993 September 6, 12 o'clock noon to 5:00 o'clock p.m. at the Dundurn Park Pavilion, subject to the following terms and conditions:
- (a) That proof of \$2 million General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured be provided.
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, clean-up, etc.).
 - (c) That alcoholic beverages be served in the confined area of the pavilion.
 - (d) That the applicant adhere to the regulations stipulated by the Liquor Licence Board in the provision of alcoholic beverages.
 - (e) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

11. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source Of Funding
a) 628754004	Mohawk Sports Park Utility Bldg Increase	24,000.00	23,727.47	272.53	Cap. Levy
b) 629054015	Churchill Lawn Bowling - Lights	31,000.00	30,158.70	841.30	Reserve For Parklands
c) 629049004	Crest Stabilization - Mtn Park	50,000.00	49,394.79	605.21	Reserve Cap. Proj.
d) 629154001	Ivor Wynne Renovations Repairs	159,000.00	158,945.80	54.20	Reserve Cap. Proj.
e) 629154002	Ivor Wynne Repair Lighting	52,000.00	47,181.65	4,818.35	Reserve Cap. Proj.
f) 629254010	Gage Park Reconstruct Carpet Beds	60,000.00	54,110.30	5,889.70	Reserve Parklands
g) 629154006	Gage Park Path Lighting	31,000.00	31,000.00	0.00	Reserve For Parklands
TOTAL		407,000.00	394,518.71	12,481.29	

AMENDED AND CARRIED.

12.
 - (a) That qualified City forces (Parks Forestry) required to eliminate dead branches, hangers, split trees and removal of all brush/branch debris in City parks/cemeteries resulting from the 1993 April 1 ice storm be used to complete this work after the street tree clean up.
 - (b) That the Parks Division be authorized to engage private contractors to undertake stumping associated with removal of approximately 57 trees, the replacement of said trees using minimum 2 inch (caliper) bagged and balled, nursery stock approximately 8 - 12 feet tall and chipping of stockpiled brush. DELETED.
 - (c) That Cemeteries Division be authorized to purchase 40 trees, the replacement of said trees using minimum 2 inch (caliper) bagged and balled nursery stock approximately 8 - 12 feet tall. DELETED.
 - (d) That the costs associated with the clean-up program be charged to City Centre 62208.
 - (e) That the projected budgetary impacts of the clean-up work be forwarded to The Finance and Administration Committee for information at this time and that upon completion of the clean-up a more detailed report be submitted to the Parks and Recreation Committee for its consideration.
13.
 - (a) That a Lease Agreement, duly executed by the applicants, Reinier and Agatha Hill on 1993 March 10, for City owned land at 123 Arbour Road and 30 Mud Street, containing 4,469.44 square metres (48,108.90 square feet) and 2,180.41 square metres (23,469.74 square feet) more or less, respectively, for the sum of \$1. plus applicable taxes be credited to Account No. CH44104 31106 (Rented Fees/Civic Properties Rented), for the purposes of landscaping only, to commence on the first day of the month following City Councils's approval, be approved and completed.
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

14. (a) That a purchase order be issued to Transway Steel Buildings, Hamilton, in the amount of \$122,706. including all taxes and contingencies, to construct Sun Shelters at Gershome, Kennedy, Mountview, Mount Lions, Montgomery, Trenholme and Huntington Parks, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Work Done For Others Account No. CH56398 62910.

(b) As this work is to commence as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
15. That the City exercise its option to extend the existing agreement with Universal Skate Sharpeners Ltd., Calgary to 1994 December 31 to supply, install, service and maintain skate sharpening machines at nine arenas, payment to the City of 20% of gross receipts, originally approved as Section 3 of the THIRTEENTH Report of the Parks and Recreation Committee for 1991 adopted by City Council on 1991 June 25.
16. That permission be granted to waive the green fees for the Western Ontario Golf Superintendents Association Golf Tournament to be held at King's Forest on 1993 August 17.
17. That approval be given to the Cultural Division of the Department of Culture and Recreation to host a placement student from the Art Conservation Techniques Program, Sir Sanford Fleming College from 1993 September to 1994 April.
18. (a) That the transfer of Hamilton Region Conservation Authority (HRCA) properties on Hamilton Beach to the City of Hamilton and disposition of said properties, follow the "Selected Approach" as outlined in Appendix "A" attached hereto.

- (b) That the Manager of Parks be authorized to work with the General Manager of the Hamilton Region Conservation Authority to prepare a Project Brief for submission to the Provincial Government requesting approval of the "Selected Approach".
 - (c) That prior to submitting a formal request to the Provincial Government regarding their financial interest in this project, the Hamilton Region Conservation Authority and City jointly host a meeting with local MPP's to discuss the proposed property transfer between the Hamilton Region Conservation Authority and the City.
 - (d) That based on receiving Provincial Government approval of the property transfers and revenue sharing strategy the City Solicitor be authorized to prepare an agreement to be signed by the Mayor and the Chairman of the Hamilton Region Conservation Authority said agreement to address the Hamilton Region Conservation Authority's entitlement to 50% of the net proceeds from the sale of properties deemed surplus to park and open space requirements in accordance with the approved Hamilton Beach Neighbourhood Plan.
19. (a) That the previously budgeted amount of \$123,000. (with adjustments) within the West Mountain Twin Pad Arena and Community Centre Budget, be designated as "seed" money towards the development of a future proposal for an indoor - West Mountain Bocci facility. AMENDED AND CARRIED.
- (b) That any Bocci proposal be subject to consideration during future Capital Budget processes and the development of a fund raising plan which would incorporate contributions from both private sector and senior levels of government.
 - (c) That it be understood, that the City is in no way committed to any future additional funding for the construction of an indoor Bocci facility.
 - (d) That the Chief Administrative Officer be directed to investigate and report back on whether this reallocation of funds (\$123,000.) (with adjustments) complies with the terms of the Ontario Municipal Board approval for the West Mountain Twin Pad Arena and Community Centre Project. AMENDED AND CARRIED.

1993 April 27

20. (a) That the City of Hamilton endorse the formation of an "Ontario Sports Legends Hall of Fame Museum" Organizing Committee.
- (b) That the City provide the Committee with meeting facilities and staff resources.
- (c) That the Committee report back to the Parks and Recreation Committee with its proposal for an "Ontario Sports Legends Hall of Fame Museum".
- (d) That Alderman B. Morelli represent City Council on this Committee.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 April 20

**Appendix "A" as referred to in
Section 18 of the EIGHTH Report
of the Parks and Recreation
Committee for 1993**

Selected Approach - Hamilton Beach Project

1. That the Hamilton Region Conservation Authority (HRCA) be encouraged to finalize its property transfer arrangement with the Ministry of Transport Ontario thus increasing HRCA holdings on Hamilton Beach from approximately 25 acres to 35 acres±.
2. That the HRCA transfer its land holdings on Hamilton Beach representing approximately 35 acres, including properties transferred from MTO, to the City at a nominal cost ie. \$2.00.
3. That the Director of Property undertake the sale of the properties deemed surplus to park and open space requirements in accordance with the approved Hamilton Beach Neighbourhood Plan, representing approximately 22 acres± and that subject to Provincial approval the HRCA be entitled to receive 50% of the net proceeds from each transaction this being the Provincial entitlement.
4. That the Provincial Government agree to forfeit its financial interest in the 13 acres± to be retained by the City to facilitate implementation of the open space component of the Beach Plan; this being considered the Provincial contribution toward the development of the park component of the Beach Project.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **NINTH** Report for 1993 and respectfully recommends:

1. That Section 5 of the **SIXTH** Report of the Parks and Recreation Committee for 1993, adopted by City Council on 1993 March 9, with respect to the Lease of space in the Basement and Compound of the Gartshore Thomson Building, Pier-4 Park, to the Hamilton Bay Sailing Club, be amended as follows:

Term: Five (5) years commencing 1993 May 1 to 1998 April 30.

Rental Rate: i. \$2,246 per annum,

or

- ii. \$1,655. per annum upon receipt by the City of \$10,000. prepaid rent prior to the execution of the Lease. This prepaid rent is to be applied to capital costs to renovate and to conform with Ontario Building Code requirements to allow the Hamilton Bay Sailing Club to be located in the Gartshore Thomson Building.

That upon the expiry of the Lease, the Hamilton Bay Sailing Club will be reimbursed for that portion of the \$10,000. not used. The formula will be based on a \$600. per annum reduction. (e.g. At the end of five (5) years, the Club will have used up \$3,000. of the \$10,000. amount.)

Renewal: The Landlord in its sole discretion has the right to grant a five (5) year renewal. Notice of said renewal and its terms or termination of the Lease will be forwarded to the Lessee on or before 1997 April 30.

2. That approval be granted to The Living Rock Ministries to use Pier-4 Park to host the "Battle of the Bands", 1993 July 31 from 12:00 o'clock noon to 10:00 o'clock p.m., subject to the following terms and conditions:
 - (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided.
 - (b) That the applicant assume responsibility for all labour-related costs as a result of this event (i.e. set up, clean-up, etc.)
 - (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
3.
 - (a) That the Director of Property be authorized and directed to take all necessary and appropriate steps to preserve the City's interests in the construction of the new Club House at the Hamilton Tennis Club, 247 Duke Street, Hamilton, including noting the default of the contractor by sending official notices to it and its bonding company.
 - (b) That the Director of Property report back to the Parks and Recreation Committee meeting of 1993 May 18, or sooner on the response of the bonding company regarding its intentions to complete the project or otherwise and that the City Solicitor report on the legal implications of that response.
 - (c) In the event that arrangements satisfactory to the City are not implemented, that the contract between the Corporation of the City of Hamilton and Memphis-Kendall Builders Inc. of Toronto, for the construction of a New Club House for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. Grounds, be terminated for default, including the contractor's gross delay in construction progress, without proper excuse, leading to additional, unexpected expenses to the City for temporary trailer rental, hydro hookup, etc. and the contractor's apparent failure to protect the City from claims of non-payment by the contractor's subcontractors, despite payment by the City to the contractor, and for other serious breaches of the contract, including challenging the consultant Architect's authority.

(d) That the Director of Property list the various construction completion options available to the City and recommend the one most suitable in all the circumstances, including budgetary restraints.

4. (a) That approval be given to enter into a contract with Harm Schilthuis and Sons Ltd., Ancaster, in the amount of \$737,892. for the supply and installation of a pier structure, pavilion and floating dock at Pier-4 Park, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

(b) That the amount of \$635,000. for the pier structure be funded from Harbourfront Remediation - Stage 1 Account No. CF41925 4004 and the amount of \$102,892. for the pavilion and floating dock be funded from Harbourfront Remediation - Stage II Account No. CF5200 41925 4003.

(c) That a contract satisfactory to the City Solicitor be entered into between the City and Harm Schilthuis and Sons Ltd. of Ancaster.

(d) That the Mayor and Clerk be authorized to execute the contract on behalf of the City after the Lease provided for in sub-sections (e) and (f) below has been executed by the Hamilton Harbour Commission and the City.

(e) That the City Solicitor prepare the Lease with the Hamilton Harbour Commission satisfactory to the Director of Property and the Director of Public Works to permit construction and use of the Hamilton Harbour Commission's water lot for the Pier structure in accordance with the following terms:

Property: Portions of Part 3 and Part 4, Plan 62R-5914 as shown on attachment 1

Area: $\pm 2352 \text{ m}^2$

Rental Rate: i. Years 1 to 5, inclusive \$2,000. plus applicable assessment imposed by the Lessor for use of the Pier as a tour boat dock (presently set at \$0.50 per passenger per round trip or part trip for straight pick-up or discharge) as may be amended by time to time by the Lessor.

1993 April 27

ii. Years 6 to 20: To be negotiated

Term: 1993 May 1 to 2013 April 30

- (f) That the Mayor and City Clerk be authorized to execute a Lease Agreement in a form satisfactory to the City Solicitor.
- (g) That the City release the Hamilton Harbour Commission land described as Part 3, 62R-5914 from the covenants of the Hamilton Harbour Commission restricting their use of Part 3 to navigable waterway purposes only as provided for in an Agreement dated 1981 August 21, between the Hamilton Harbour Commission and Samuel and Sheridan Lax. That the Mayor and City Clerk be authorized to execute the said release.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 April 27

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 20 Chilton Place
 - (b) 208 Eleanor Avenue
2. That the City of Hamilton accept the sum of \$8,000. as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 3", located west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood, this being the cash payment required under Section 50 of the Planning Act.
3.
 - (a) That the Chairman or his designate be authorized to attend the 1993 Canadian Institute of Planners Conference to take place on 1993 July 4 to July 7, Victoria, British Columbia.
 - (b) That costs for attendance be allocated to Aldermen Travel Account No. CH55201 10010 from the 1993 Operating Budget.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

4. That approval be given to Application CD-92-002, under the Rental Housing Protection Act, Milkha Singh, owner, for conversion of 15 rental residential townhouse units to 15 residential condominium units at 293 Limeridge Road West, Hamilton, because the proposal will not adversely affect the supply of affordable rental housing in Hamilton. Approval is subject to conditions in Appendix "A", to be fulfilled by the owner.
5. A. That approval be given to amended Zoning Application 91-60, R.V. Kemp (in Trust), owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District modified, to permit single-family detached dwellings on property located at No. 146 Mount Albion Road, as shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variance as a special requirement:
 - i. Notwithstanding Sections 9(3)(ii) and 9(3)(iii) of By-law No. 6593, every building and structure, except a fence, shall be set back not less than 7.6 m from the "top of bank" as established by a survey according to the Hamilton Region Conservation Authority as shown on Appendix "B", extending along the westerly boundary between the "C" (Urban Protected Residential, etc.) District and the "AA" (Agricultural) District;
 - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1309 and that the subject lands on Zoning District Map E-87 be notated S-1309;

- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-87 for presentation to City Council;
 - (e) That the proposed change and modification in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- B. (a) That approval be given to application 25T-92010, Ronald Kemp, owner, to establish a draft plan of subdivision in the area west of Mount Albion Road, and south of the T.H. & B. Railway Line, subject to the following conditions:
- i. That approval apply to the plan prepared by Ashenhurst Nouwens Limited, dated October 22, 1992, showing 10 lots for single family dwellings, and a Block for future residential purposes.
 - ii. That the final plan conform with the Zoning By-law approved under the Planning Act.
 - iii. That the street be dedicated to the City of Hamilton as public highway in the final plan.
 - iv. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
 - v. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
 - vi. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the net area of the subdivision in the final plan.
 - vii. That the owner pay an amount equivalent to 5% of the land to the City of Hamilton for park purposes in accordance with the Planning Act.

- viii. That the owner establish a 9.0m radius on the east side of the road on the transition curve cul-de-sac bulb on Rouge Hill Court.
 - ix. That the applicant be required to enter into subdivision agreements with both the City and Region prior to the development of any portion of these lands.
 - x. That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
 - xi. That the owner agree, in writing, to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application(25T-92010), Ronald Kemp, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- C. (a) That the request by Planning Initiatives, on behalf of R. Kemp, to waive the requirement of a Feasibility Study and Impact Analysis to permit the development, be approved; and,
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to concur with the decision of the City of Hamilton to waive the requirement of a Feasibility Study and Impact Analysis.
6. That approval be given to Zoning Application 93-05, Maria Miceli, owner, for a change in zoning from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, to permit future development for single-family dwellings, on property located at No. 667 Rymal Road West, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the subject lands be rezoned from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27-E for presentation to City Council; and
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
7. A. That approval be given to Zoning Application 93-07, P.X. Dermody Funeral Homes, prospective owner, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit a funeral home within the existing building, for the lands located at 796 Upper Gage Avenue, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to the subject lands, by introducing the holding symbol "H" as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as a Site Plan Control Application has been submitted and approved.

City Council may remove the "H" symbol, and thereby give effect to the "H" District -Modified provisions as stipulated in this By-law by enactment of an amending By-law once the condition is fulfilled.
 - (b) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
 - i. That notwithstanding Section 14.(1) of Zoning By-law No. 6593, a funeral home shall be permitted within the existing building;

- ii. That notwithstanding Section 18A(7) of Zoning By-law No. 6593, one (1) parking space may have dimensions not less than 2.7 m wide and 5.4 m long;
 - iii. That Section 18A(26) of Zoning By-law No. 6593 shall not apply;
 - iv. That Section 18A(11) of Zoning By-law No. 6593 shall not apply to the northerly lot line for a distance of 20.0 m from the front lot line;
 - v. That a minimum 0.5 m landscaped planting strip, and a visual barrier not less than 1.2m in height and not greater than 2.0 m in height, shall be provided and maintained along the northerly lot line for a distance of 20.0 m from the front lot line;
 - vi. That a minimum 3.0 m wide planting strip, and a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the westerly lot line;
 - vii. That a minimum landscaped area not less than 15% of the lot area shall be provided and maintained at grade;
- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1308 and that the subject lands on Zoning District Map E-38 be notated S-1308;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38 for presentation to City Council;
 - (e) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- B. That Site Plan Control By-law No. 79-275, as amended by By-law 87-233, be amended by adding the subject lands to Schedule "A".

8. That leave be granted to introduce the following Bills:

- (a) C-35 By-law to Amend Zoning By-law No. 6593 respecting Lands Located between Duncairn Crescent and Heatherdale Place, and West of Gondola Street.
- (b) C-36 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Nos. 140, 150 and 158 Rymal Road West.
- (c) C-37 By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 88-281 respecting Lands Located at Municipal Nos. 1379-1383 Upper James Street.
- (d) C-38 By-law to Amend Zoning By-law No. 6593 respecting Land Located at Municipal No. 796 Upper Gage Avenue.
- (e) C-39 By-law to establish Site Plan Control respecting Land Located at Municipal No. 796 Upper Gage Avenue.

RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1993 April 21

APPENDIX "A"

(1) That the Owner shall enter into an Approval Agreement with the City satisfactory in form to the Director of Local Planning and to the City Solicitor, incorporating the City's conditions of approval listed herein and register such Agreement on title to the subject property prior to the earlier of,

- (a) the sale of the property by the Owner;
- (b) issuance of a building permit to carry out the alterations (if any) to physically convert the premises; or,
- (c) where no such alterations are required, prior to receiving final approval to the said condominium plan.

(2) That this approval shall cease and be at an end,

- (a) if the Owner has sold the land without entering into the Approval Agreement with the City; and
- (b) in any event, within five years from the date of this approval resolution of Council, if the Owner has not registered the said land and building as a condominium corporation.

(3) That the Owner shall grant to the Tenants named in Schedule "A" an Option to Purchase within two years of registration of the Land and Building as a Condominium, their Unit specified in Schedule "A", (together with its appurtenant interests).

(4) That such Option provide, among other matters, that in the event the Tenant exercises the Option to Purchase the Unit, the Owner shall, within twenty-one (21) days of delivery of the Notice to the Owner, enter into the Agreement of Purchase and Sale form of Hamilton Real Estate Association for a condominium sale, with the necessary amendments for purchase of the Unit from the declarant of the Condominium.

(5) That such Agreement shall provide,

- (a) that the sale shall be completed within One Hundred and Twenty (120) days, unless otherwise agreed by the Tenant;
- (b) that the purchase price for the Unit be the price agreed upon between the Owner and the Tenant, not to exceed Eighty-five Thousand Dollars (\$85,000.00). In the event the purchase price is not agreed upon, the purchase price shall be the lesser of Eighty-five Thousand Dollars (\$85,000.00), or the average sale price of similar units on the same property at the time the Option is exercised by the Tenant;

- 2 -

- (c) that all provisions with respect to delivery of disclosure material and payment of interest on deposits as provided for in the Condominium Act, shall apply to the sale of the Unit.

(6) That the Owner offer to the Tenants named in Schedule "A" who live in the rental units listed in Schedule "A", a lease in writing, to lease to each Tenant their premises for a lease term specified by each Tenant not to exceed a date two years after the registration of the condominium at the current rent rate set out in Schedule "A", subject to the following provisions:

- (a) that such leases be entered into by both parties and registered on title to the subject land prior to the City's execution of the said Approval Agreement;
- (b) that the Tenant's rent shall not be increased by reason of alterations or other expenses of the Owner to convert the building to a condominium, but that the rent may be increased as otherwise permitted at law;
- (c) that the Tenant may terminate the lease at any time on 60 days' notice.

(7) That the Owner cause a new land owner if any and the new condominium corporation to enter into an agreement with each Tenant to assume the obligations of the Owner herein to the Tenants.

(8) That the foregoing conditions be subject to the following terms, which terms shall form part of the applicable document:

- The following documents, namely the Approval Agreement, the leases and the Options to Purchase shall be prepared by the Owner and registered by the Owner at its expense, including the payment of Land Transfer Tax and registration fees. If the Option is exercised and subsequently the sale is closed, the Tenant shall repay the Owner, in addition to the sale price, the said Land Transfer Tax and registration fee. If the Option is not exercised by the Tenant, the Owner shall be entitled to a refund of the Land Transfer Tax.
- If the Tenant at any time vacates the rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of execution in possession of the rental unit.

- 3 -

- The Tenant's rights under the Approval Agreement, the lease and the Option to Purchase are personal to the named Tenant only and may not be assigned by the Tenant to anyone.
- If the Director of Local Planning receives a declaration from the Owner that a Tenant named in Schedule "A" has not, or does not want, to enter into the said lease or the said Option or both of them, or that the Tenant has vacated the rental unit, the Director of Local Planning shall send by registered mail to the Tenant at the rental unit listed in Schedule "A", a Notice that the Tenant's rights under the unsigned lease or Option, as the case may be, shall cease within twenty-one days of the Notice unless the Tenant is still in possession of the premises and has within twenty-one days collected such document from the Owner and returned to the Owner a copy of the document signed by the Tenant.
- That upon registration of the required leases, Options and the Approval Agreement, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.

1993 April 27

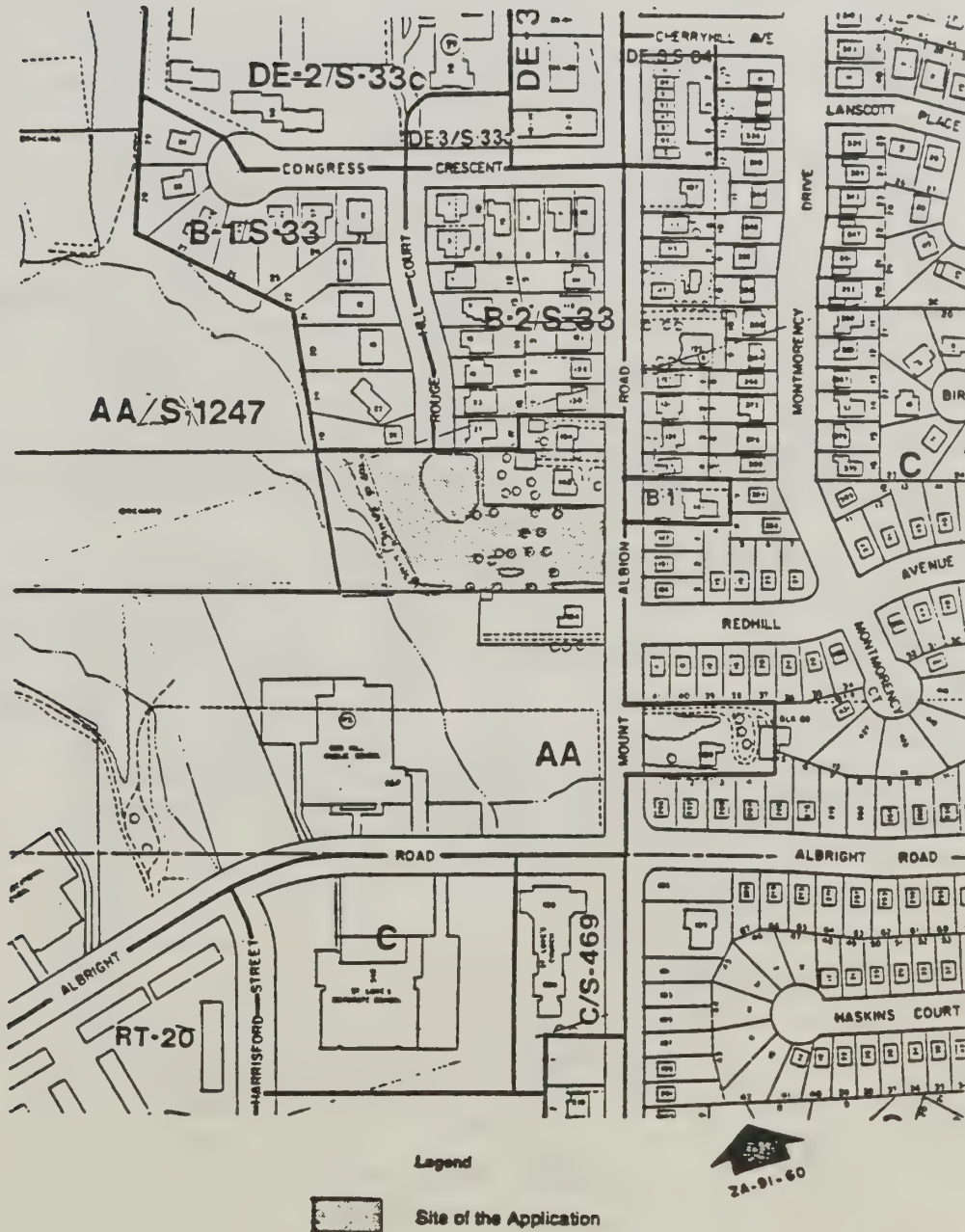
SCHEDULE 'A'

RESIDENTIAL RENTAL UNITS

Unit No./ Size of Unit	Tenant Name	Rental Rate
1 (3 BR)	Sheri Leisemer Glen Own	\$823.00
2 (3 BR)	Javid Mirja Meharun Nisa	\$816.00
4 (3 BR)	Harold and Bonnie Gee	\$823.00
5 (3 BR)	Brian Fedsin Lyn, Kyle, Alan	\$823.00
6 (3 BR)	Annette Gibbons Craig Gibbons	\$823.00
7	VACANT	
8	VACANT	
9	VACANT	
10 (3 BR)	Sue Parker Mike Parker	\$843.00
11 (3 BR)	Karen Miles	\$816.00
12	VACANT	
13	VACANT	
14 (3 BR)	Sharon Arsonault and Randolph	\$816.00
15 (3 BR)	Les Michelle Szoke	\$822.00

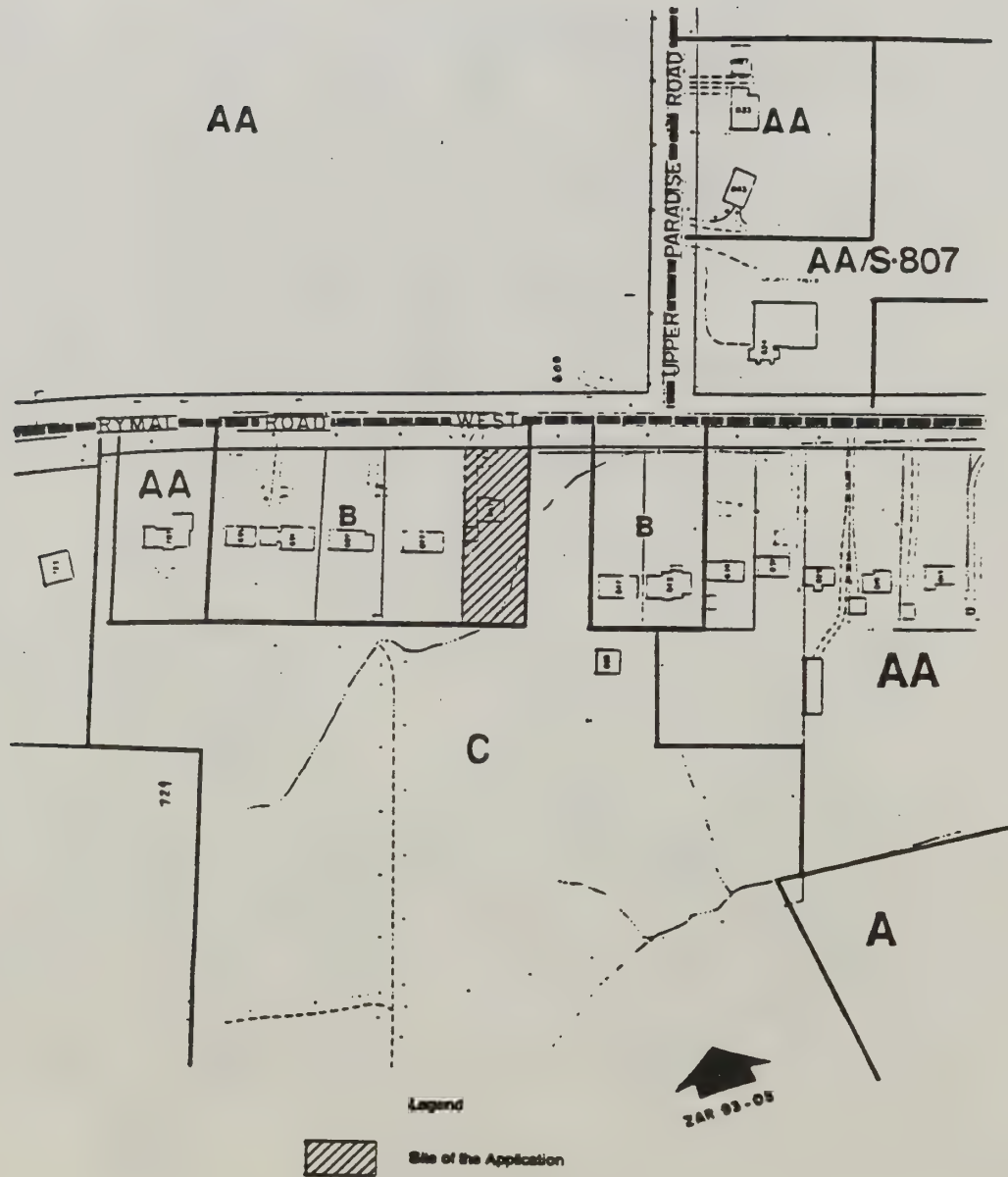
1993 April 27

Appendix "B" as referred to
in Section 5 of the EIGHTH
Report of the Planning and
Development Committee for
1993



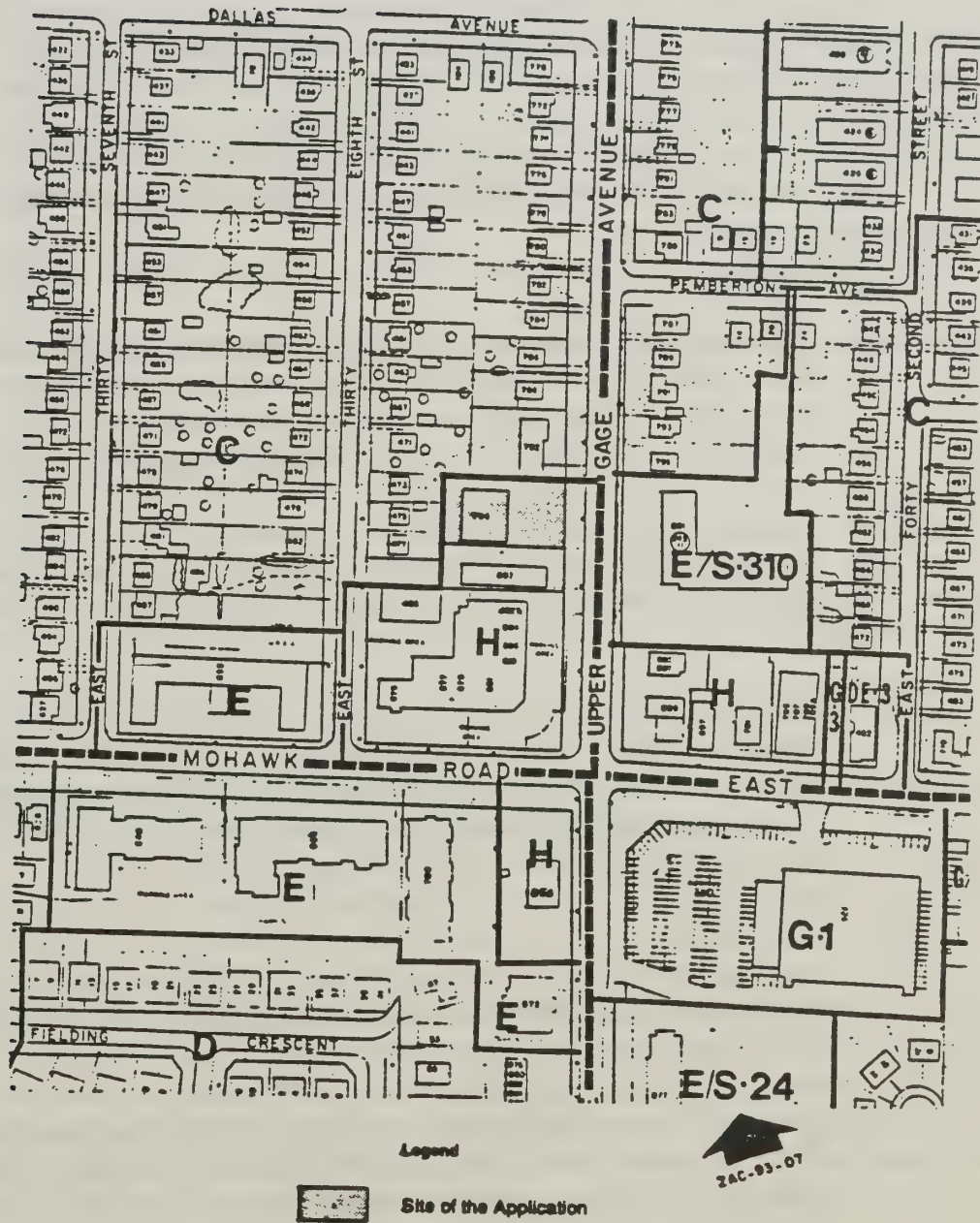
1993 April 27

Appendix "C" as referred to
in Section 6 of the EIGHTH
Report of the Planning and
Development Committee for
1993



1993 April 27

Appendix "D" as referred to
in Section 7 of the EIGHTH
Report of the Planning and
Development Committee for
1993



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINTH** Report for 1993 and respectfully recommends:

1. (a) That approval be given to the action taken by the City Clerk in authorizing Peace Runs International to use the forecourt on Saturday, 1993 April 24, from 3:00 - 6:00 o'clock p.m., for a Welcome Ceremony on the arrival in Hamilton of the Runners in the Sri Chinmoy Oneness -Home Peace Run; and,

 (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.
2. (a) That the Corporation of the City of Hamilton enter into a lease with Greendale Day Nursery Ltd., for a vacant parcel of City owned land located directly west of 44 Greendale Drive, containing approximately 583.4 square metres (6,280 square feet) more or less, being Part 2 of Block O on Plan M-66, to be used for access purposes only; and,

 (b) That the term be for a period of four (4) years, commencing 1993 May 1, and expiring 1997 April 30, at a rental rate of \$700. per year plus any applicable taxes, and proceeds to be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,

 (c) That the Tenant shall have the option to renew the Lease for a further four (4) year period, with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,

 (d) That the Mayor and City Clerk be authorized and directed to execute a Lease Agreement in a form satisfactory to the City Solicitor.

3.
 - (a) That approval be given to enter into a contract with Frank Bufalino & Sons Construction Ltd. in the amount of Two Million Four Hundred & Twenty Six Thousand, Three Hundred & Eighty Six.....40/Dollars (\$2,426,386.40) for the construction of the New Fire Station 4 on Upper Sherman Avenue, within the N.W. corner of Macassa Park. Necessary Funds are available in Accounts CF 5200 489241009 (Construction Fire Station 4) and CF 5200 629054012 (Parks Development/Re-Development 1990); and,
 - (b) That a contract be entered into, satisfactory to the City Solicitor; and,
 - (c) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

Recorded vote to refer back Section 3

YEAS: Aldermen Kiss, Agro, Drury, Morelli, Copps, Charters, Jackson, Merling. -8.

NAYS: Mayor Morrow, Aldermen Cooke, McCulloch, Wilson, Agostino, Eisenberger, Anderson, D'Amico, Ross. -9. **LOST.**

Recorded vote on Section 3

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Aldermen Copps, Charters, Jackson. -3.

CARRIED.

4. That notwithstanding Section 29 of the Eighteenth Report for 1990 of the Finance and Administration Committee, adopted by City Council on 1990 May 29th, to provide that the benefit package for Hamilton City Council members be updated to include the increased benefits approved for employees covered by the Collective Agreement entered into by the City and C.U.P.E. Local 167, the enhanced benefit package for City Aldermen shall not include reimbursement of mileage expenses, either current or retroactive, for travelling within the City while on City business.

5.
 - (a) That the Insurance and Risk Management Report, 1993 March as prepared and submitted by Armour Riley Inc. be accepted (copies available from the Secretary or Treasurer); and
 - (b) That staff be authorized to take the necessary actions to implement the key recommendations of the report, being:
 - (i) That insurance coverage be placed with insurers through the services of a designated insurance broker; and that the Treasurer be authorized to retain a qualified insurance broker through an advertised request for candidate brokerage firms and a pre-qualification selection process; and,
 - (ii) That the Treasurer be authorized to retain the firm of Armour Riley, Inc., Risk Management Consultants, to assist in the development of a pre-qualification selection process criteria for candidate brokerage firms; the criteria for evaluation of the broker applicants, and the selection of at least three brokerage firms to participate in a competitive tender for insurance (based on specifications for insurance to be developed jointly by Armour Riley, Inc. and City staff and allocation of insurance markets); at an upset cost limit of \$16,000.; and,
 - (iii) That the insurance and risk management program of the City be enhanced by consolidation of the existing sixteen (16) Property and Liability insurance policies into a reduced number of broadly worded policies for the City, Boards, Commissions, etc. and H.E.C.F.I. and City Companies for each of the following classes of insurance:
 - (1.) Property;
 - (2.) Boiler and Machinery;
 - (3.) Liability - injury or damage;
 - (4.) Director and Officers Liability;
 - (5.) Automobile Fleet; and,

- (iv) That the Treasurer be instructed to report to the Finance and Administration Committee; firstly, for approval of the selected brokerage firms to participate in the competitive tender for insurance and market allocation; and secondly, for the selection of the final broker and placement of insurance coverage; and,
 - (v) That the limit of liability insurance coverage be expanded from the present \$14 million and the deductible be restructured to various dollar levels subject to specified annual aggregate limits with the specific coverage and deductibles to be determined from the analysis of the alternate package costings generated from the tendering process; and,
 - (vi) That staff prepare a written policy statement for an insurance and risk management program for the City to include objectives, procedures and loss prevention programs for formal approval of the Finance and Administration Committee and City Council.
6. That the 1993 mill rates for the City of Hamilton be approved, and the mill rates for the Region and Boards of Education be received to be included for billing purposes as detailed on the Schedule entitled "Comparison of Components and Total Mill Rates for the Years 1989 to 1993 Inclusive" (Column 6), attached herewith and marked Appendix "A".
7. (a) That after hearing the evidence and submission of the complainant, Joe Di Cienzo representing 712176 Ontario Limited, the Council of the Corporation of the City of Hamilton, hereby exempts the development charges imposed on the 13 properties located in the Silverton Avenue Sub-Division; and,
- (b) That the Treasurer be directed to refund the amount of \$3,669.60 to Mr. Di Cienzo which he paid for development charges for Lots 1, 2 and 9 in the Silverton Avenue Subdivision (Plan 62M-653).

8.
 - (a) That a hearing be held on the issue of whether or not the City of Hamilton Adult Video By-law No. 93-045 should be amended to recognize Unit 2 of 558 Upper Gage Avenue, as a location eligible for an Adult Video Tape Store Licence effective 1993 February 23; and,
 - (b) That City Council appoint three members of Council to conduct this Hearing for the purpose referred to in Sub-Section (a) above, in accordance with Section 105(1) of the Municipal Act.
9.
 - (a) That the City of Hamilton resolve Ontario Court (General Division) Action No. 19216/90 by the payment to the Plaintiffs, Milka, Gravo, Vesna and Jasmina Stepanovic of the sum of \$105,141.60 inclusive of all damages, interest and costs; and,
 - (b) That the City resolve the Cross-claim of Citadel Insurance Company in Ontario Court (General Division) Action No: 19216/90 by the payment to Citadel Insurance Company of the sum of \$5,782.31 inclusive of all damages, interest and costs; and,
 - (c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (d) That Ontario Court (General Division) Action No. 19216/90 and all Cross and Counterclaims be dismissed without costs.
10. That leave be granted to introduce the following Bills:
 - (a) Bill H-26 A By-law to amend Market By-law No. 92-310 respecting Temporary Stallholder Signage.
 - (b) Bill H-27 A By-law to authorize the Levy of a Special Charge in respect of the International Village Business Improvement Area generally covering both sides of King Street East between Mary Street and Wellington Street North.

- (c) Bill H-28 A By-law to authorize the Levy of a Special Charge in respect of the Main Street West Esplanade Business Improvement Area generally comprised of lands on the east and west sides of Main Street West between Locke Street on the west and Queen Street on the east.
- (d) Bill H-29 A By-law to authorize the Levy of a Special Charge in respect of Westdale Village Business Improvement Area generally covering King Street West and the area of the intersection of Cline Avenue and King Street West and extending to an area west of Newton Avenue and Sterling Street.
- (e) Bill H-30 A By-law to authorize the Levy of a Special Charge in respect of the Concession Street Business Improvement Area generally comprised of lands covering Concession Street between East 18th Street and East 25th Street.
- (f) Bill H-31 A By-law to levy the Special Charges for 1993 for the Improvement Area in the area between King William Street, Mary Street, Main Street East and James Street, designated by By-law 82-151.
- (g) Bill H-32 A By-law to authorize the Levy of a Special Charge in respect of the Ottawa Street North Business Improvement Area generally covering Ottawa Street North between Main Street East and extending to an area north of Barton Street East.
- (h) Bill H-33 A By-law to fix the Rates of Taxation for Municipal Purposes for the Year 1993.
- (i) Bill H-34 A By-law to fix the Rates of Taxation for Regional Purposes for the Year 1993.
- (j) Bill H-35 A By-law to fix the Rates of Taxation for School Purposes for the Year 1993.

1993 April 27

- (k) Bill H-36 A By-law to fix the Total Rates of Taxation for Municipal, Regional and School Purposes for the Year 1993.
- (l) Bill H-37 A By-law to levy an Annual Tax on Telephone Companies doing business in Ontario respecting the Bell Telephone Company of Canada.
- (m) Bill H-38 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 April 22**

City of Hamilton
Treasury

COMPARISON OF COMPONENTS AND TOTAL MILL RATES
FOR THE YEARS 1989 TO 1993 INCLUSIVE

Description (1)	1989 (2)	1990 (3)	1991 (4)	1992 (5)	1993 (6)	Increase + Decrease - 1992 to 1993	
						Mills (7)	% (8)
<u>Residential</u>							
City	92.2114	96.7685	98.6655	102.5572	104.2203	1.6631 +	1.62 +
Region	82.9278	92.1727	99.6322	103.5133	107.0004	3.4871 +	3.37 +
Sub Total	175.1392	188.9412	198.2977	206.0705	211.2207	5.1502 +	2.50 +
<u>Education - Elementary</u>							
- Secondary	86.5187	104.4188	106.5221	116.9462	117.3363	0.3901 +	0.33 +
	62.4175	71.4700	71.2649	69.1713	72.8626	3.6913 +	5.34 +
Sub Total	148.9362	175.8888	177.7870	186.1175	190.1989	4.0814 +	2.19 +
<u>Total Mill Rates</u>	324.0754	364.8300	376.0847	392.1880	401.4196	9.2316 +	2.35 +
<u>Non-Residential</u>							
City	108.4840	113.8453	116.0771	120.6555	122.6121	1.9566 +	1.62 +
Region	97.5621	108.4385	117.2144	121.7803	125.8828	4.1025 +	3.37 +
Sub Total	206.0461	222.2838	233.2915	242.4358	248.4949	6.0591 +	2.50 +
<u>Education - Elementary</u>							
- Secondary	101.7867	122.8456	125.3201	137.5838	138.0427	0.4589 +	0.33 +
	73.4324	84.0623	83.6410	81.3780	85.7207	4.3427 +	5.34 +
Sub Total	175.2191	206.9279	209.1611	218.9618	223.7634	4.8016 +	2.19 +
<u>Total Mill Rates</u>	381.2652	429.2117	442.4526	461.3976	472.2583	10.8607 +	2.35 +

Notes: The 1993 mill rates were calculated based on the 1992 unrevised assessment for 1993 taxation.

(1) The mill rates in 1989 reflect the transfer of 3,3558 residential mills from the City of Hamilton to the Regional Municipality of Hamilton - Wentworth for the subsidized transit fare program within the City of Hamilton totalling \$3,483,570.00 for 1989.

1993 April 27

Appendix "A" referred
to in Section 6 of the
NINTH Report of the
Finance and Administration
Committee for 1993.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TENTH** Report for 1993 and respectfully recommends:

1. (a) That the documents entitled " Jobs and Services: A Social Contract for the Ontario Public Sector" and " Ontario's Expenditure Control Plan" be received; and,

(b) That the Mayor communicate to the Premier of Ontario the position of the City of Hamilton that further downloading of Provincial costs on the municipal taxpayer is unacceptable and impossible for us and that efforts to control the Provincial deficit not be at the expense of the municipal taxpayer.

(c) That a copy of this resolution be forwarded to the Association of Municipalities of Ontario for their support. **ADDED AND CARRIED.**

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 April 27**

Minutes of Hamilton City Council
1993 May 11
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Imam Abdul Rouf, Muslim Mosque led Council in Prayer.

* * * * *

The minutes of the Regular meeting of 1993 April 27 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Application dated 1993 April 30 from 800064 Ontario Inc., 161 Rebecca Street, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District modified to "R-4" (Small Lot Single-Family Detached) District for Block "1" and to "DE-2" (Multiple Dwellings) District for Block "2" for lands located south of Claudette Gate and West of Garth Street, Hamilton, Ontario.

Received.

1993 May 11

2. Application dated 1993 May 10 from Mr. and Mrs. Russell McCrory, 631 Rymal Road West, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 631 Rymal Road West, Hamilton, Ontario.

Received.

3. Letter dated 1993 May 6 from the City of Ottawa respecting a resolution re: proposed funding cuts by the Provincial Government.

Referred to the Finance and Administration Committee.

4. Letter dated 1993 May 4 from the Town of Ancaster respecting the proposed Provincial Social Contract and Expenditure Control Plan.

Referred to the Finance and Administration Committee.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT

Section 12 Re: School Crossing Guard - lunch hour period - Barton St. E. and Nash Rd.

It was moved by Alderman Eisenberger and seconded by Alderman Agostino that Section 12 of the Sixth Report of the Transport and Environment Committee for 1993 be referred back.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - NINTH REPORT

Section 11 Re: Advertising Sign - Hamilton Tiger Cat Football Club

It was moved by Alderman McCulloch and seconded by Alderman Merling that Section 11 of the Ninth Report of the Planning and Development Committee be amended by deleting the words "denied for the reasons that the building is designated under the Ontario Heritage Act and that the Ontario Heritage Foundation holds a heritage easement on the property" and insert the word "approved" in lieu thereof.

CARRIED.

Recorded vote on Section 11 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. - 15.

NAYS: Aldermen Wilson, D'Amico. -2.

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - ELEVENTH REPORT

Section 14 Re: Capital Grant - Venetian Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 19 Re: Adult Video Stores - Licence Fees

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 19 of the Eleventh Report for 1993 of the Finance and Administration Committee:

"That no action be taken to reduce the current licence fee for Adult Video Stores."

CARRIED.

* * * * *

Section 20 Re: Appointment of Members - Hearing re: Unit 2 - 558 Upper Gage Avenue

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 20 of the Eleventh Report for 1993 of the Finance and Administration Committee:

"That further to City Council approval of Section 8 of the Ninth Report for 1993 of the Finance and Administration Committee at its meeting held 1993 April 27th, to conduct a Hearing, on the issue of whether or not the City of Hamilton Adult Video By-law 93-045 should be amended to recognize Unit 2 of 558 Upper Gage Avenue, as a location eligible for an Adult Video Tape Store Licence effective 1993 February 23rd, the following three members of City Council be appointed:

Alderman D. Drury
Alderman F. Eisenberger
Alderman W. McCulloch"

CARRIED.

COMMITTEE OF THE WHOLE - FIFTH REPORT

Recorded vote on Section 1

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Wilson, Agostino, Jackson, Anderson. -8.

NAYS: Mayor Morrow, Aldermen Drury, Morelli, Copps, Eisenberger, Charters, Merling, D'Amico, Ross. 9. **LOST.**

RESOLUTION

It was moved by Alderman Agro and seconded by Alderman Drury that the request of the Hamilton Public Library Board for bridge financing in the amount of \$225,750 be referred to the City Treasurer and Chief Administrative Officer for a report. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-36, A-37, A-38, A-39, A-40, A-41.
C-40, C-41, C-43.
H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

A-36, A-37, A-38, A-39, A-40, A-41.
C-40, C-41, C-43.
H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-36, A-37, A-38, A-39, A-40, A-41.

C-40, C-41, C-43.

H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

1993 May 11

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-36, A-37, A-38, A-39, A-40, A-41.

C-40, C-41, C-43.

H-39.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J. J. Schatz, City Clerk
1993 May 11

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **SIXTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "Permit Parking" regulation on the east side of Locke Street North which commences at a point 80 feet north of Napier Street and extends to a point 102 feet northerly therefrom be extended such that the regulation commences at a point 80 feet north of Napier Street and extends to a point 117 feet northerly therefrom; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That a "One Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the north side of Kinnell Street between Inchbury Street and the westerly end; and
(b) That a "No Parking" regulation be implemented on the south side of Kinnell Street between Inchbury Street and the westerly end; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That the existing "Alternate Side Parking" regulation on London Street South between King Street East and Main Street East, be revised such that the regulation commences at Central Avenue and extends to Main Street East on the east side and such that the regulation commences at a point 11 feet north of the north curb line of Central Avenue and extends to Main Street East on the west side; and
(b) That a "No Parking" regulation be implemented on the west side of London Street South, commencing at a point 11 feet north of the north curb line of Central Avenue and extending to a point 86 feet southerly therefrom; and

- (c) That a "No Parking" regulation be implemented on the east side of London Street South between King Street East and Central Avenue; and
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
- 4.
- (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of Acadia Drive between Butler Drive (west leg) and Beaverton Drive; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 5.
- (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Emming Court between Delmar Drive and the east end; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 6.
- (a) That the existing "No Parking" regulation on the west side of Harmony Avenue between Harrison Avenue and Vansitmart Avenue be replaced with unrestricted parking; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 7.
- (a) That a "No Parking" regulation be implemented on the north and west sides of Purnell Drive between Clifton Downs Road (west leg) and Bentley Place; and
 - (b) That the existing "No Parking" regulation on the east side of Purnell Drive commencing at Clifton Downs Road (north leg) and extending to a point 712 feet southerly therefrom be extended, such that the regulation commences on the south side of Purnell Drive at a point 530 feet east of Clifton Downs Road (west leg) and extends to Clifton Downs Road (north leg); and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.

8.
 - (a) That the existing "Permit Parking" regulation on the south side of Herkimer Street commencing at a point 643 feet west of Locke Street South and extending to a point 23 feet westerly therefrom be removed; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
9.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Weir Street North commencing at a point 186 feet south of Britannia Avenue and extending to a point 22 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Edwards, No. 182 Weir Street North; and
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the west side of London Street South commencing at a point 68 feet south of Montclair Avenue and extending to a point 19 feet southerly therefrom; and
 - (b) That a "Permit Parking" regulation be implemented on the east side of London Street South commencing at a point 77 feet south of Montclair Avenue and extending to a point 18 feet southerly therefrom; and
 - (c) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. McMillan, No. 162 London Street South; and
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
11. That the School Crossing Guard at the intersection of Cumberland Avenue and Sherman Avenue be relocated to the intersection of Cumberland Avenue and Norway Avenue.

12. That the School Crossing Guard service be discontinued during the lunch hour period at the signalized intersection of Barton Street East and Nash Road.

REFERRED BACK.

13. (a) That a "No Stopping, Wheelchair Loading Only" regulation be implemented on the west side of Cheever Street commencing at a point 245 feet south of Birge Street and extending to a point 20 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "No Parking 7:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Ewen Road commencing at a point 276 feet south of Ofield Road and extending to a point 67 feet southerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That a "No Parking" regulation be implemented on the north side of Edgewood Avenue, commencing at High Street and extending to a point 55 feet westerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That in accordance with the request by the Hamilton Street Railway Company the following new bus stop be approved:

Route 53 Burlington

Westbound - Glow Avenue, north side, 26 feet east of the east curb line of Dunn Avenue (N/S); and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

17. (a) That the existing "One Hour Metered Parking" regulation on the east side of Huxley Avenue North commencing at Main Street East and extending to a point 95 feet northerly therefrom be replaced with a "Two Hour Metered Parking" regulation; and

(b) That the City Traffic By-law No. 89-72 be amended accordingly.
18. That the application of L. Ellis, agent for the Boy Scouts of Canada (375 James Street South, Hamilton L8P 3B9) to temporarily close the following City Streets, on Saturday 1993 May 29, from 8:00 o'clock a.m. to 12:00 o'clock noon, for the annual Boy Scout/Girl Guide Parade be approved:

Devonport Street from York and Tom
Strathcona Avenue from York and Tom
Inchbury Street from York and Florence
Locke Street from York and Florence
Pearl Street from York and Florence
Ray Street from York and Florence
Peter Street from Ray to Hess
Napier Street from Ray to Queen
Market Street from Ray to Hess
George Street from Ray to Hess
Hess Street from Jackson to King
Caroline Street from Jackson to King
MacNab Street from Main to Hunter
Jackson Street from MacNab to City Hall parking lot

subject to the following conditions:

- (a) That approval from Regional Police Services be received;
- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton, Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
19. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in;

" WISEMOUNT ESTATES - PHASE 3 ", Hamilton

City's Share \$16,688.15 Subdivider's Share \$252,689.68

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner of "Wisemount Estates - Phase 3", Hamilton and any other related documents for this Subdivision subject to the approval of the City Solicitor.

- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
 - (d) In the event that the owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
 - (e) That the City's share for the costs of services in "Wisemount Estates - Phase 3" (\$16,688.15) be approved and the Finance and Administration Committee recommend the source of funding for this project.
20. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:
- | | | |
|--------------|----------------|----------------|
| Elite Drive | Part 2 | Plan 62R-12045 |
| Acadia Drive | Parts 9 and 12 | Plan 62R-11096 |
| Acadia Drive | Block 29 | Plan 62M-644 |
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
21. (a) That By-Law No. 92-152 be amended by substituting all references to Plan 62R-11929 with Plan 62R-11979.
- (b) That the by-law to carry out the amendment be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
22. (a) That the proposal to close Bay Street North be referred back to the Parks and Recreation Committee.

- (b) That the Parks and Recreation Committee be requested to review the proposal to close Bay Street North, within the context of the West Harbourfront Development Study.
- 23.
- (a) That the construction of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway proceed as local improvements pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$25,300. with a City's share of \$7,144. and Owner's share of \$18,156. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and
 - (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
- 24.
- (a) That the construction of a finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly proceed as a Local Improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost \$111,600. as provided in the 1993 portion of the 1993 -2002 Capital Budget with a City's Share of \$22,800. and an Owner's Share of \$88,800.; and
 - (b) That the Finance and Administration Committee be requested to recommend a source of funds for this Capital project; and
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works once all the necessary approvals have been received.

25. That the Finance and Administration Committee recommend a method of financing the estimated overdraft of \$3,387,147. for the 1992/93 winter season - snow control accounts.
26. That the City of Hamilton take "no action" in regard to the request by the Hamilton Harbour Commissioners for the City to contribute additional funds in the amount of \$94,943.26 towards the Windermere Basin Rehabilitation Project.
27. (a) That an all way stop control be implemented at the intersection of Duke Street and Hess Street South.
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
28. (a) That a "Permit Parking" regulation be implemented on the west side of East 18th Street between Concession Street and Mountville Avenue; and
(b) That the Director of Traffic Services be authorized to issue, upon request, one parking permit to each of the first sixteen eligible applicants residing in the block to a maximum of sixteen permits; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
29. That leave be granted to introduce the following Bills:
 - (a) A-36 By-law to incorporate Block 29, Plan 62M-644 into Acadia Drive
 - (b) A-37 By-law to incorporate Part 2, Plan 62R-12045 into Elite Drive
 - (c) A-38 By-law to incorporate Parts 9 and 12, Plan 62R-11096 into Acadia Drive
 - (d) A-39 By-law to Amend By-law No. 92-152 into Fieldway Drive
 - (e) A-40 By-law to Amend By-law No. 89-72 to Regulate Traffic

1993 May 11

(f) A-41 **By-law to Amend By-law No. 89-72 to Regulate Traffic**

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 May 3

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its NINTH Report for 1993 and respectfully recommends:

1. That the City of Hamilton accept the sum of \$38,556. as a cash payment in lieu of the 5% land dedication in connection with Rymal Square Estates - Phase 4, Hamilton, located between Upper Wentworth Street and Upper Sherman Avenue in the Butler Neighbourhood, being the cash payment required under Section 51 of the Planning Act.
2.
 - (a) That approval be given to the "Intent to Designate" Barton Stone United Church at 21 Stone Church Road West as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation attached hereto and marked as Appendix "A"; and
 - (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
3. That the Region be requested to grant a three-year extension to the draft approval for "Wisemount Estates" Subdivision.
4.
 - (a) That By-law No. 93-019, as amended by By-law No. 93-032, respecting Tariff of Fees, be amended to incorporate the following Departmental user fee:
 - i. Request by any applicant or agent of an Official Plan amendment and/or Rezoning application, to cancel or table a Public Meeting

- Fee per Public Notice recirculation: \$250.

- (b) That the City Solicitor be directed to prepare a By-law to amend By-law No. 93-019, as amended by By-law No. 93-032, to incorporate the above-noted fee, for presentation to City Council.
- 5. That the Building Department, Field Services Division be authorized to implement a revised policy with respect to the enforcement of By-law 84-35, in requiring or carrying out the mowing of large, undeveloped fields or properties so that only a buffer strip of approximately 30 feet be required to be cut adjacent to street frontages or occupied properties. This would not include specifically-established naturalization areas within the City of Hamilton.
- 6. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 399 James Street North
 - (b) 56 Limeridge Road East
 - (c) 655 Rymal Road West
 - (d) 1523 Upper Gage
- 7. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to the City of Hamilton for Whitehern, 41 Jackson Street West.
- 8. That a Designated Property Grant in the amount of three thousand dollars (\$3,000.) be provided to the City of Hamilton for Dundurn Castle, 600 York Boulevard.
- 9. That approval be given to Zoning Application 92-53, 518374 Ontario Limited, (Angello Papastamos), owner, requesting a further modification to the established "AA" (Agricultural) District regulations, to permit a butcher shop as an additional permitted use within the existing building, on property located at No. 1314 Upper Wentworth Street, as shown on the attached map marked as Appendix "B", on the following basis:

- (a) That the "AA" (Agricultural) District regulations as contained in Section 7A of Zoning By-law No. 6593, as amended by By-law No. 92-075, applicable to the subject lands, be further amended as follows:
 - i. That Section 1.(a)(i) Commercial Uses, of By-law 92-075 be amended by adding the words "including an accessory butcher shop" after "a retail variety store" so that the Section reads as follows:

"(i) Commercial Uses:

 - 1. a retail variety store including an accessory butcher shop;
 - 2. a business and professional person's office,

within the building existing on the day of the passing of this by-law;"
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1158a, and that the subject lands on Zoning District E-18C be notated S-1158a;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18C for presentation to City Council;
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
 - (e) That the By-law be held in abeyance pending compliance of the order to comply to the satisfaction of the Building Commissioner.
10. That approval be given to amended Zoning Application 91-59, Leo Cascioli, owner, requesting a modification to the established "H" (Community Shopping and Commercial, etc.) District, to permit the development of the subject lands for a four (4) storey, 5 unit multiple dwelling, for the property located at 29 Severn Street, as shown on the attached map marked as Appendix "C", on the following basis:

- (a) That the "H" (Community Shopping and Commercial, etc.) District regulations as contained in Section 14 of Zoning By-Law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
- i. That notwithstanding Section 14.(1) of Zoning By-law No. 6593, a multiple dwelling consisting of five (5) dwelling units shall be permitted;
 - ii. That Section 14.(3)(ii)(a) of Zoning By-law No. 6593 shall not apply to the northerly lot line;
 - iii. That notwithstanding Section 14.(3)(ii)(a) of Zoning By-law No. 6593, a side yard of a width of at least 1.2 m shall be provided and maintained along the southerly lot line;
 - iv. That notwithstanding Section 14.(3)(iii)(a) of Zoning By-law No. 6593, a rear yard depth of at least 6.2 m shall be provided and maintained;
 - v. That notwithstanding Section 18A (1) of Zoning By-law No. 6593, not less than three (3) parking spaces shall be provided and maintained on the lot;
 - vi. That Section 18A (1)(c) of Zoning By-law No. 6593 shall not apply; and,
 - vii. That a landscaped area of not less than 25% of the lot area shall be provided and maintained at grade;
 - viii. That a front yard not less than 5.0 m in depth shall be provided and maintained for any portion of the building above two (2) storeys in height;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1310, and that the subject lands on Zoning District Map W-3 be notated S-1310;

- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
11. That the request to place a 12' square hardboard sign on the former Bank of Montreal's west (rear) facade from the Hamilton Tiger-Cat Football Club be approved. **AMENDED AND CARRIED.**

Recorded vote on Section 11 as amended.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, Ross. -15.

NAYS: Aldermen Wilson, D'Amico. -2.

CARRIED.

12. That the requirement for the owner to obtain a building permit prior to release of the demolition permit be lifted and that the Building Commissioner be authorized to issue a demolition permit for 24 Victoria Avenue North.
13. That approval be given to Zoning Application 93-06, Ashok Kumar, owner, requesting a modification to the "M-11" (Prestige Industrial) District regulations to permit a billiard parlour, on lands at 1157 Rymal Road East, as shown on the attached map marked as Appendix "D", on the following basis:
- (a) That the "M-11" (Prestige Industrial) District regulations, as contained in Section 17C of Zoning By-law No. 6593, be modified to include the following variance as a special requirement:
 - i. Notwithstanding Section 17C(1)(c), a billiard parlour shall be permitted.
 - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1311, and that the subject lands on Zoning District Map E-59D be notated S-1311;

- (c) That the City Solicitor be directed to prepared a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council; and,
 - (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 14. That in regard to projects approved under Site Plan Control, that securities be included as a condition of approval of the applications and that staff of the Planning and Development and Roads Departments be directed to establish a procedure for collection and appropriate releasing of funds from such securities and that the "Undertaking" on the plans be appropriately modified to recognize the required securities.
- 15. That City Council adopt the following policy related to professional requirements in the preparation of plans submitted for Site Plan Control Processing:
 - (a) That where development includes structures and/or buildings submitted for approval under Site Plan Control, and being consistent with the Ontario Building Code, and the Ontario Architects Act, the plans must be prepared and stamped by an architect or engineer, except for minor projects determined by the Director of Local Planning.
 - (b) That where development includes grading and landscape plans submitted for approval under Site Plan Control, the plans must be prepared and stamped by a qualified professional architect, engineer, or landscape architect, except for minor projects determined by the Director of Local Planning.
- 16. That the City of Hamilton name its Chief Administrative Officer as its liaison person with GO Transit and that he be asked to report to each meeting of your Committee on the status of GO Transit's activity and the nature of its interaction with the residents of the abutting neighbourhoods.

17. That leave be granted to introduce the following Bills:

- (a) C-40 By-law to Amend Zoning By-law No. 6593 as Amended by By-law No. 92-197 respecting lands located within the block bounded by Cannon Street East, Elgin Street, Barton Street East and Ferguson Avenue North
- (b) C-41 By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 667 Rymal Road West
- (c) C-43 By-law to Amend Zoning By-law No. 6593 respecting lands located south of Rexford Drive and East of Ardleigh Street.

RESPECTFULLY SUBMITTED,

**ALDERMAN F. EISENBERGER, VICE-CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 May 5

REASONS FOR DESIGNATION

Barton Stone United Church

21 Stone Church Road West

Context

Built in 1845-7 on the main road from Hamilton to Caledonia, just north of the hamlet of Ryckman's Corners, Barton Stone United Church now stands at the busy intersection of Upper James and Stone Church Road West. Encroaching commercial and residential development as well as increasing traffic have dramatically changed its rural setting in recent years. The green open space of the adjacent cemetery, with its peaceful atmosphere, wide variety of grave markers, and several trees, complements the church building and provides a welcome buffer to the south.

Historical Significance

Barton Stone United Church has the distinction of being the oldest building to have continuously served as a Presbyterian (and later United) Church within the present-day boundaries of the City of Hamilton. It also has direct ties with the first Presbyterian congregation in this area, founded in 1811 by William Rymal, one of the earliest settlers in Barton Township. The two-storey frame meeting house, which he had built adjoining the cemetery plot on the eastern border of his farm (now St. Peter's Cemetery on Mohawk Road West), was shared by two congregations (Initially Lutherans and Presbyterians and later Anglicans and Presbyterians) and was thus named Barton Union Church. When this building was condemned as unsafe in 1844 and later demolished, each denomination erected its own stone church at separate locations: Barton Presbyterian (now Barton Stone United) and St. Peter's Anglican, built in 1852-3 near the site of the original church and demolished in 1922.

Served for almost fifty years by itinerant pastors, Barton Presbyterian obtained its first settled minister in 1886, shared with the Locke Street Presbyterian Church. Shared arrangements with other churches continued until 1920, when the minister of Barton Wesley Methodist Church was engaged and the congregation joined with Barton Presbyterian, formally merging in 1922. Three years later the congregation became part of the United Church of Canada (formed in 1925) and was then renamed Barton Stone United Church.

Architecture

Barton Stone United Church is an architectural landmark on Hamilton's Mountain, where it is the oldest surviving church, and reputedly the only remaining 19th century church building. Moreover, it ranks as one of the oldest stone buildings and possibly the earliest church still standing in the present-day City of Hamilton.

The original church, a modest vernacular building, is noteworthy for its rubblestone construction, pleasing proportions and Gothic Revival detailing. The simple front facade, unusual for its absence of fenestration, features a pointed arched doorway with double panelled wood doors and a solid wood transom. On the south and north walls, seven of the eight original window bays with paired lancet windows set in rectangular frames are still intact. The one at the eastern end of the south wall was recently altered by the removal of the lower half of the window and stone masonry below to install double fire doors (thereby allowing the permanent closure of the original front doorway facing Upper James).

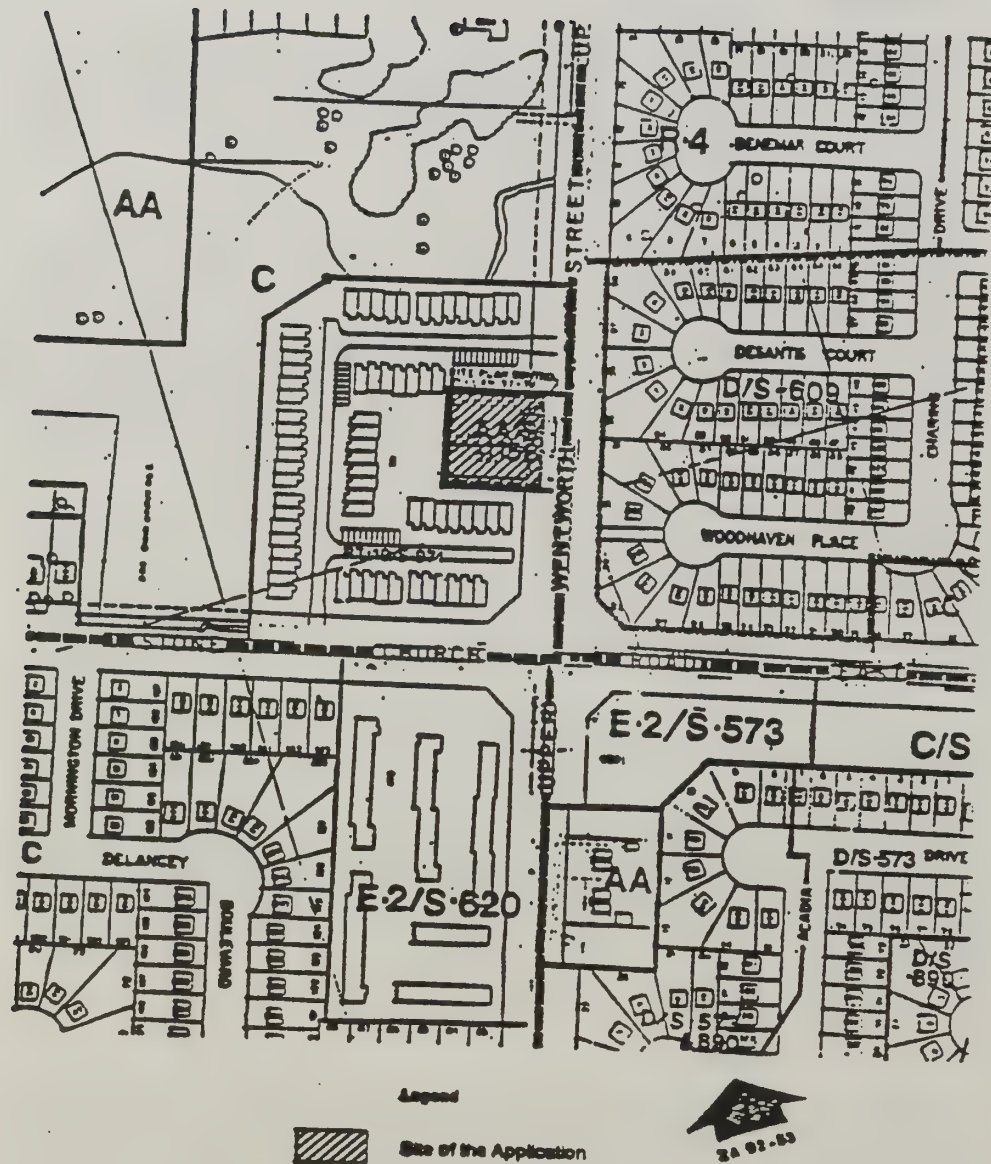
The existing rear stone addition was built in 1972 to house the church offices, choir room, vestry, and a new main entrance facing the parking lot to the west. It replaced two earlier additions: the Sunday School room added to the west end in 1916 and a larger hall built to replace it in 1937. The Sunday School function is now accommodated within the Christian Education Building erected in 1957 on the west side of the church property facing Stone Church Road.

Designated Features

Important to the preservation of Barton Stone United Church are the original exterior features of the east, south and north facades of the 1847 building, including the stone masonry, the original main doorway, and the original windows on the north and south facades (excluding the new fire doors).

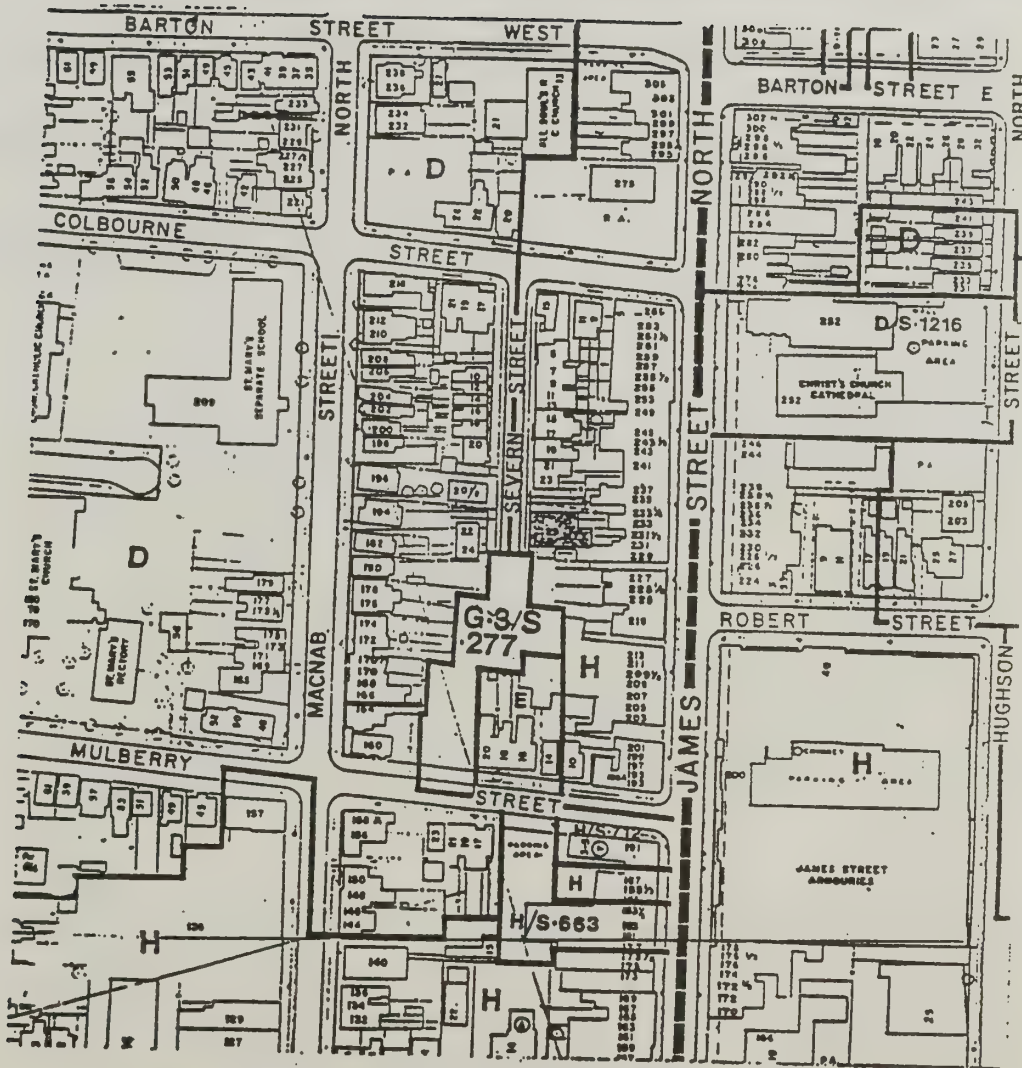
1993 May 11

Appendix "B" as referred to
in Section 9 of the NINTH
Report of the Planning and
Development Committee for
1993



1993 May 11

Appendix "C" as referred to
in Section 10 of the NINTH
Report of the Planning and
Development Committee for
1993



Legend

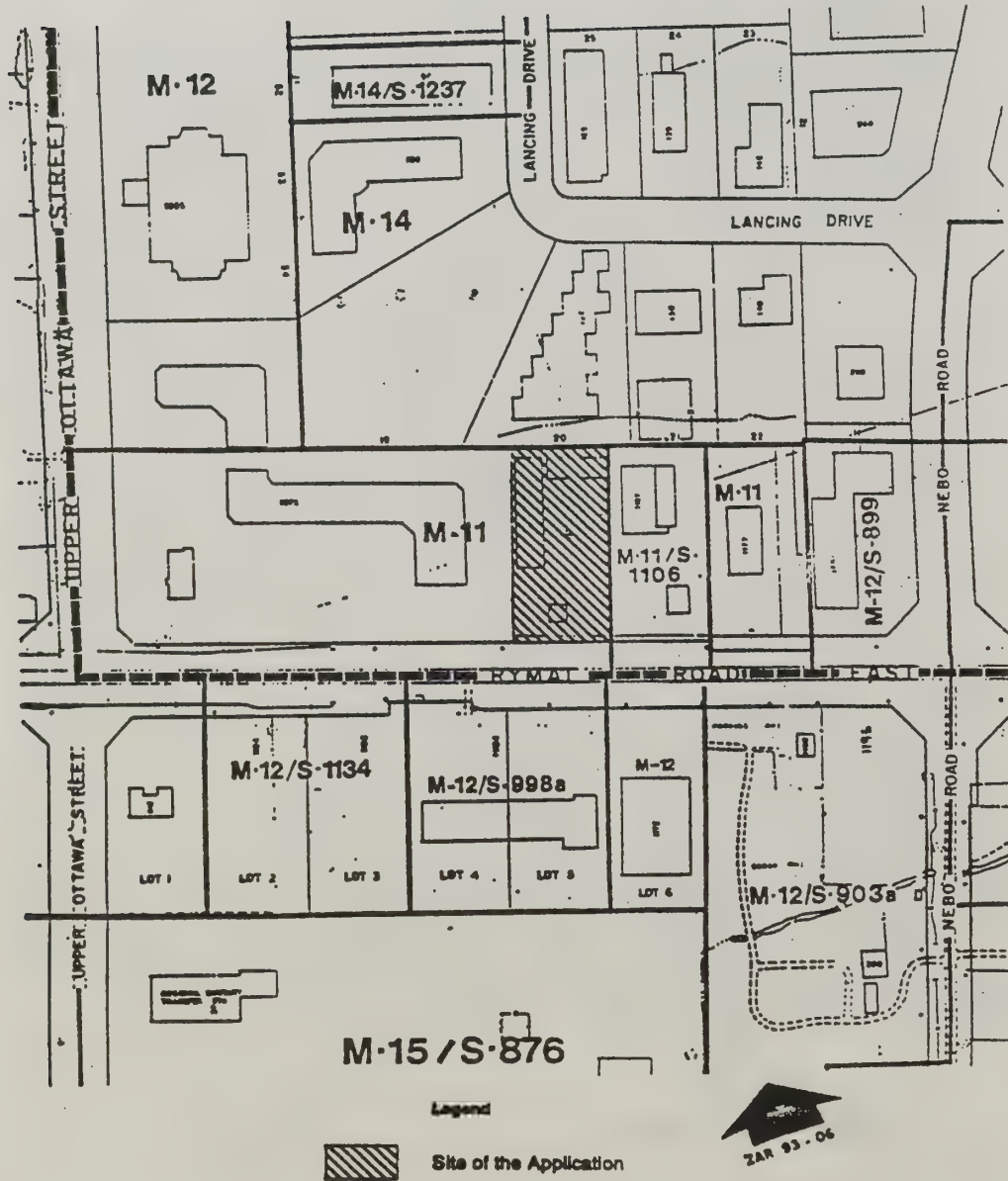


Site of the Application



1993 May 11

Appendix "D" as referred to
in Section 13 of the NINTH
Report of the Planning and
Development Committee for
1993



REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. (a) That approval be given to provide an amount of \$500. to be used to assist in defraying expenses to be incurred in staging a post-game reception for the players and coaches of the All Star Football Teams participating in the Third Annual Steel City Senior Bowl to be held at McMaster University on Thursday, 1993 June 24th; and,

 (b) That this expenditure be charged to Special Civic Receptions and Delegation Hosting Account No. CH55314-84010.
2. That a Policy on the Acquisition and Display of Plaques, Posters, Memorabilia and Awards in City Hall, attached herewith and marked Appendix "A", be approved.
3. That the Council of the Corporation of the City of Hamilton deem the annual festivals of the St. Mary's Portuguese Parish to be held 1993 May 30 (Holy Spirit); 1993 July 4 (St. Peter); 1993 August 13, 14 and 15 (Our Lady of the Angels) and 1993 August 21 and 22 (St. Cecilia Feast) to be events of municipal significance and has no objection to the issuance of Special Occasion Permits for these festivals, on the condition that the Permits specify a time limit of 11:00 o'clock p.m.
4. (a) That approval be given to the request of the Women's Art Association of Hamilton to use the east and west second floor lobby areas for an exhibit of visual art from 1993 October 1 to 15; and,

- (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 5.
 - (a) That approval be given to the request of the Hamilton-Wentworth Chapter of Child Find Ontario to use the forecourt, or in the event of inclement weather, the first floor foyer, to set up information tables with donation jars to increase public awareness to the many services, programmes and types of assistance offered to the community with regard to children on Tuesday, 1993 May 25 from 4:00 - 8:00 p.m. to commemorate National Missing Children's Day; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
- 6.
 - (a) That approval be given to the request of the Ride for Sight Committee to use the City Hall forecourt and related equipment on Saturday, 1993 May 22 at 12:45 p.m. for their annual motorcycle rally to raise funds for eye research in Canada; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.
- 7. That as referred to in Section 19 of the Sixth Report for 1993 of the Transport and Environment Committee, the City's share of "Wisemount Estates - Phase 3" Servicing, at a cost of \$16,688.15, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

8. That as referred to in Section 24 of the Sixth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law for the construction of a finished roadway on Acadia Drive approximately 50m south of Butler Drive to approximately 200m southerly under the Local Improvement Act at an estimated gross cost of \$111,600. with a City's share of \$22,800. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$88,800., being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that an application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$88,800. for a term not to exceed 20 years for the above project.
9. That as referred to in Section 23 of the Sixth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct concrete sidewalks on the west side of Upper Wellington from Bryna to the north limits of the East-West Freeway under the Local Improvement Act at an estimated gross cost of \$25,300. with a City's share of \$7,144. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$18,156. being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$18,156. for a term not to exceed 20 years for the above project.
10. That a purchase order be issued to J. P. Hammill & Son Limited, Guelph, to supply and deliver Fatigue Uniforms as and when required during 1993 by the Hamilton Fire Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be finance through Uniforms, Clothing Account No. CH56104 48001, as follows:

Short Sleeve Shirts	\$21.67 each
Trousers	30.97 each
Uniform Jackets	23.97 each

All taxes extra

11. That the following resolution from the City of Burlington respecting Prohibiting the Distribution of Adult Videos in Municipalities, be received:

"THAT the Minister of Municipal Affairs and Minister of Consumer and Commercial Relations be urged to support and initiate an appropriate amendment to the Municipal Act to provide Municipalities with the legislative authority to prohibit the distribution (sale and/or rental) of Adult Sex Films within their Municipalities on the basis of Community Standards;

AND FURTHER that this motion be forwarded to the Association of Municipalities of Ontario, the Federation of Canadian Municipalities and to Ontario Municipalities with a population in excess of 75,000 and members of the Federal and Provincial Parliaments requesting support;

AND THAT the Honourable Pierre Blais, Federal Justice Minister and Keith Spicer, Chairman of the Canadian Radio and Television Commission having direct involvement in the jurisdiction of Adult Sex Films be urged to initiate more stringent Federal Legislation to regulate the Industry."

12. That the following resolution from the City of Stoney Creek respecting competition in the Cable T.V. Field, be received:

"WHEREAS full cable service charges for the City of Stoney Creek has been increased annually since 1986 December; and,

WHEREAS this increase has resulted in annual cable rates increasing from \$72. (1986 December) to \$207.24 plus taxes (1992 December) to \$251.04 commencing 1993 April 29; and,

WHEREAS the Council of the Corporation of the City of Stoney Creek considers these increases excessive; and,

WHEREAS a licensed cable area results in a monopoly;

NOW THEREFORE be it resolved that the Council of the Corporation of the City of Stoney Creek hereby request the C.R.T.C. to investigate the feasibility of changing the licensing procedure so as to allow competition in the Cable T.V. Field.

13. That the following resolution from the Town of Geraldton respecting Opposition to A.M.O. negotiating on behalf of the Town with the Premier and the Government of Ontario respecting a "Social Contract", be received:

"WHEREAS the Corporation of the Town of Geraldton did not give the Association of Municipalities of Ontario (A.M.O.) the mandate to negotiate on behalf of the Town with the Government of Ontario on financial matters that may impact on the Town of Geraldton;

AND WHEREAS A.M.O. has not requested the approval of the Town of Geraldton to negotiate a "Social Contract" with the Premier and Government of Ontario;

THEREFORE BE IT RESOLVED that Premier Rae and A.M.O. be informed that the Town of Geraldton does not agree with A.M.O. negotiating a "Social Contract" on its behalf;

AND FURTHER that municipalities in the Province of Ontario be contacted to request their support of the Town of Geraldton's position and that they so inform Premier Rae and A.M.O."

14. (a) That a Capital Grant in the amount of \$20,000. be approved for the Venetian Club to offset the final cost of the Club renovations which are necessary for the 1995 World Bocci Tournament; and,
- (b) That funding for this grant be charged to the Capital Grant Account #CF5693-259155007.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

15. That the request of McMaster University for a Capital Grant of \$19,000. to purchase equipment with regard to the 1993 World University Games Women's Soccer Championships, be received.
16. (a) That a Capital Grant in the amount of \$109,181. be approved for Hamilton East Community Services for the rehabilitation of Lakeland Pool and Community Centre in accordance with the specifications attached herewith and marked Appendix "B"; and,
- (b) That funding for this Capital Grant be derived by making a reduction to the \$500,000. balance in the Capital Contingency Account by the \$109,181. Grant to leave a remaining balance in the Capital Contingency Account of \$390,819.; and,
- (c) That the Capital Grant amount of \$109,181. be charged to the Reserve for Capital Projects Account Centre No. CH 00203.

17. That the City of Hamilton settle Ontario Court (General Division) Action No. 30743/91 on the following terms:
- (a) That the City pay to the Plaintiffs James and Terry Ann McMaster, the sum of \$6,857.86 inclusive of all damages, interest, and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 30743/91 be dismissed, as against the Corporation of the City of Hamilton without costs.

18. That leave be granted to introduce the following Bill:

Bill H-39 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

19. That no action be taken to reduce the current licence fee for Adult Video Stores. **ADDED AND CARRIED.**

20. That further to City Council approval of Section 8 of the Ninth Report for 1993 of the Finance and Administration Committee at its meeting held 1993 April 27th, to conduct a Hearing, on the issue of whether or not the City of Hamilton Adult Video By-law 93-045 should be amended to recognize Unit 2 of 558 Upper Gage Avenue, as a location eligible for an Adult Video Tape Store Licence effective 1993 February 23rd, the following three members of City Council be appointed:

Alderman D. Drury
Alderman F. Eisenberger
Alderman W. McCulloch

ADDED AND CARRIED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder, Secretary
1993 May 6

POLICY ON THE ACQUISITION AND DISPLAY OF PLAQUES, POSTERS, MEMORABILIA AND AWARDS IN CITY HALL

March, 1993

Appendix "A" referred
to in Section 2 of the
ELEVENTH Report of the
Finance and Administration
Committee for 1993.

1. Objectives of New Policy

- a) To provide guidelines for the acceptance or rejection of a request by individuals or groups to donate plaques, posters, memorabilia or awards (hereinafter called "memorabilia") to The Corporation of the City of Hamilton for display in the public areas of City Hall.
- b) To provide limited opportunities for citizens to express their pride in the City through displays of "memorabilia" in City Hall.
- c) To maintain the design integrity of the building's creator, S. M. Roscoe, Architect.
- d) To maintain the physical structure and condition of the building's various elements in good order.
- e) To provide a central administration location for business of The Corporation of the City of Hamilton which demonstrates pride, a sense of purpose and welcome.

Note:

The objective of this policy is to deal with awards, memorabilia, posters or plaques proposed for display in City Hall which was specifically excluded in the Art in Public Places policy adopted by City Council on November 10, 1992. The Arts in Public Places policy addresses the placement of public art (fine art pieces only) within public accessible areas of all municipal property.

2. Existing Conditions

Preamble

In the interior public spaces of Hamilton City Hall, designed by S.M. Roscoe, materials used for walls and support structures are limited to wood, marble, metal and glass. Each element is designed to make the most of its own aesthetic qualities and to contribute a further dimension of harmony and beauty to the other materials. The use of decorative inlaid mosaic tiles is a treatment continued throughout the building, on both interior and exterior surfaces. Wood elements are finely finished and matched and bring warmth to the combination of harder surfaces. The decorative finishes of the building's interior are complemented by custom wall murals at the entrance to the elevator banks on the second floor. However, it may be problematic to introduce new wall treatments in the form of two dimensional artworks unless a suitable arrangement for hanging pieces is designed - one which would not place any stress on the walls.

The interior of City Hall contains a variety of objects on display, many of which have been gifted to the City. Visitors and employees will often see tours of school children being conducted through the first and second floor lobbies while a guide explains the significance of wall murals and historic furniture.

Over the past thirty years, a number of elements have gradually been introduced to the two main lobbies. It is now time to examine the general appearance of these important public spaces and to re-evaluate their finest use. These areas on the first and second floors are the ones which give our visitors their first impressions as they advance through the space and up the staircase to the grand Council Chamber.

Rather than disperse a variety of elements randomly through the spaces, one approach is to designate specific areas for specific uses. For instance, the panelled walls leading to the glass doors of the Council Chambers have traditionally been the backdrop for photographs of elected officials. These walls could logically and comfortably continue to provide a setting for the historical pictorial record.

Large name plaques for particular awards series are mounted on other walls on the second floor.

Trophy and glass and wood display cases are situated at various locations. A permanent display of Ukrainian folk art has been sited on the first floor for many years.

The Mundialization Committee frequently makes use of other display areas to showcase pieces of interest from Hamilton's sister cities.

At the same time, civic groups routinely make use of the floor space on the first and second floors for temporary displays.

Over the Christmas season, seasonal displays are created on the second floor with a large tree and mechanical carollers. Permission is also given for the temporary painting of Christmas-related scenes on the glass doors by a local sign painter. With the addition of special lighting elements outdoors, a large variety of seasonal decorations are introduced.

Public Display Areas

The public display areas such as the foyers on the first and second floors, the lobbies and hallways within City Hall are generally thought of as being the publicly accessible spaces of the building. With the exception of the hallways and lobbies on each floor of the building, these public display areas are confined to the first and second floors of City Hall. Attached hereto as Exhibit "A" are floor plans of the first and second floor of City Hall with the publicly accessible areas shown in heavy outline.

Inventory of Works on Display

A current inventory of memorabilia, plaques, posters, memorabilia, awards and art on display in the publicly accessible areas of the first and second floor of City Hall is listed on Exhibit "B" annexed to this report.

Current Method of Processing Requests

The Finance and Administration Committee has traditionally reviewed donation proposals received by the office of the City Clerk. Donations have in the past been accepted on the terms suggested by the donor and on an ad-hoc basis. The City has in its inventory a wide range of visual artworks, ethnic crafts, plaques, awards and memorabilia. The Finance and Administration Committee has noted that an increasing number of "memorabilia" are being offered to the City for permanent/temporary display and has discussed the best approach to receiving the "memorabilia" and suitably displaying it in City Hall.

3. Administration

Recommendations

- a) That the co-ordinating staff function associated with the display of "memorabilia" in City Hall be established within the Property Department.
- b) That the Property Department co-ordinate the placement of "memorabilia" in City Hall with the Department of Culture and Recreation who has the co-ordinating staff function associated with a public art programme and Arts in Public Places Policy and the City Clerk who deals with programming of the space in general.
- c) That a piece of "memorabilia" not be accepted if there is any question as to its legal title, if ownership of the "memorabilia" by the City could be deemed to be objectionable to the Hamilton community, or if it is of such a nature that it cannot be properly cared for by the City.
- d) That the cost of any replacement "memorabilia" as a result of vandalism or theft, shall be the responsibility of the person or organization making the original donation.

Background

The Corporation of the City of Hamilton shall be responsible for establishing and amending all policies relative to the acceptance or rejection of "memorabilia" proposed for display in City Hall. Having regards to the functions, purposes and objects of the City, the City reserves and maintains the rights to refuse to accept any "memorabilia" considered by it to be inappropriate and/or unsuitable to or for the City Hall environment and/or the public served by the City.

Accept criteria include:

- (i) relevance
i.e. City appointed subcommittees, significant historical events,
significant contributions to the City of Hamilton
- (ii) adequate storage/display space
- (iii) duplication
- (iv) condition of "memorabilia"
- (v) acceptable to community standards

4. Donations of "Memorabilia"

Recommendations

- a) That individuals or groups intending to make a donation of "memorabilia" to the City of Hamilton for display in City Hall shall communicate that desire in writing to the City, through the Director of Property, providing:
 - (i) reasons for the request to display the "memorabilia" in City Hall and identifying the impact and importance of significant contributions made to the overall growth and development of the City of Hamilton by the individual or group making a donation;
 - (ii) a full description of the "memorabilia" which is being proposed for donation and display in City Hall including any wording contained on the item of donation;
 - (iii) a photograph of the item or the item itself to be donated, if available at the time of submission;
 - (iv) any donor conditions or restrictions;
 - (v) any specific maintenance or display requirements.
- b) That the Director of Property be requested to review all requests using the following criteria:
 - (i) the professional quality of the "memorabilia";
 - (ii) the absence of any donor conditions or restrictions;
 - (iii) the suitability of materials and affects on the aesthetics of City Hall;
 - (iv) maintenance requirements;
 - (v) availability of a suitable site for display/installation;
 - (vi) any wording contained on a piece of memorabilia;
 - (vii) the appropriateness for display in the City Hall environment;
 - (viii) the history/importance of the donating group or individual.

- c) That the Director of Property then forward a recommendation to the Finance and Administration Committee and Council.

5. Siting/Installation of "Memorabilia"

Recommendations

- a) That any instance of siting/installation of "memorabilia" be confined to the public areas on the first and second floors of City Hall as shown on Exhibit "A" with the exception of the panelled walls leading to the glass doors of the Council Chamber, which shall be reserved solely to provide a setting for the historical pictorial record of the City of Hamilton and its elected officials.
- b) That the siting of "memorabilia", the right to relocate or remove a piece, and the duration of placement shall be at the sole discretion of the City.
- c) That an annual review of the inventory on display be undertaken by an Ad-Hoc Committee of the Finance and Administration Committee, the Director of Property and the Director of Culture & Recreation or their designate(s).

Background

City Hall cannot accommodate on a permanent basis, every piece of art, awards, memorabilia or poster offered to it for display. There is simply insufficient, appropriate wall or floor space within the building; furthermore, the main purpose behind the building and its significance must be maintained.

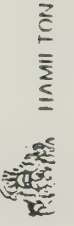
"Memorabilia" cannot be sited/installed with any guarantee of permanent placement. The City shall always have the right at its sole discretion to relocate or remove a piece of "memorabilia". In the event a piece of "memorabilia" is to be removed, a reasonable attempt will be made to notify the donor and offer its return. If its return is denied, the City shall either place the item in its archives for future reference or display, site the "memorabilia" in another City building or dispose of same. Reasons for de-accessioning or disposal of "memorabilia" may include condition, relevance or status, duplication, lack of storage and display space.



FIRST LEVEL FLOOR PLAN



1993 May 11



SECOND LEVEL FLOOR PLAN

1993 May 11

INVENTORY OF WORKS ON DISPLAY IN PUBLICLY ACCESSIBLE SPACE OF CITY HALL
March, 1993

First Floor

East Entry - Commemorative plaque: construction of old city hall
East Entry - Commemorative plaque: In Memory of those who served in Old Wars
trophy cases (outside Property Dept. doors)
Brd. of Ed. Co-op Education plaques and mural
Children's Museum - baffle
Hamilton Wentworth Composting Facility model (under stairwell)
Display case (between Community Development & Treasury) - Museum Display
Ukrainian Display Case
dolls, pottery, coloured Easter eggs
plaque: Ukrainian Heritage - Wintario project

William Sherring plaque (outside Treasury)
Chairman's desk and chairs (outside Treasury)

Second Floor

(outside Council Chambers)

"Great Canadian Participation Challenge" - May 28/85 - 12"x 9"
"Special Citation for Pedestrian Program Activities" - 1962 - 9"x 12"
"Special Citation for Pedestrian Program Activities" - 1963 - 9"x 12"
Display case: Names and photographs of former mayors
"Pedestrian Program Appraisal" - 1959 - 9" x 12"

(pillar facing Council Chambers)

"Declaration of Mundialization & Twinning"
(Hamilton & Fukuyama) - Oct. 4, 1976 - 24" x 19"

(opposite side of pillar facing stairwell)

"Commerce Prudence Industry" (c/w 3 seals) - 24" x 24"

(outside Clerk's Office)

Hamilton Status of Women Sub-Committee
"Woman of the Year" - 1975-1991 - 12" x 24"

Ukrainian Canadian Committee

(commemorating 50th Anniversary of the famine-genocide in Ukraine
1932-33) - 12" x 24"

Plaque in memory of 1,000,000 Baltic Citizens deported to slave camps
during the Soviet Occupation following the Stalin-Hitler Pact 1939 -
24" x 12"

Hamilton Arts Council Plaque

(opposite wall outside Clerk's Office)

Flag in glass case
plaque - Squadron Standard - 424 Squadron - Sept. 15/85 - 12" x 24"

1993 May 11

(inside Clerk's Office - wall opposite Mayor's office)

Display case - width: 3' height: 6'

Japanese doll, and clock from Fukuyama - Sept. 22/81

2 Table Display Cases - width: 3' height: 3.5'

containing plaques, medals, china, sterling silver ashtrays,
photographs, "Strathcona" book

Display Case - width: 6' height: 6'

containing plaque (Declaration of Twinning), photographs, dolls,
flags, china

ALL SIZES NOTED ARE APPROXIMATE.

**SPECIFICATIONS:
CONSTRUCTION, LABOUR AND MATERIALS
REQUIRED IN THE REHABILITATION
OF**

**LAKELAND POOL AND COMMUNITY CENTRE
300 VANWAGNER'S BEACH ROAD.
HAMILTON, ONTARIO**

FOR

**HAMILTON EAST KIWANIS
AND
BEACH STRIP/WOODWARD COMMUNITY COUNCIL
681 MAIN ST. EAST
HAMILTON, ONTARIO
L8M 1K3**

March 10, 1993

INTRODUCTION

The proposed Lakeland Pool Community Centre is comprised of over 8500 sq.ft. of floor space. At the present time, we feel that the centre is not being utilized to its full potential. Our intent is to create more floor space to maximize the effectiveness of existing and future programmes.

GENERAL INFORMATION

Presently the Lakeland Pool & Community Centre has accommodations for a kitchen, restaurant and entertainment area. These areas will remain, along with the additions of a games room, 3 programme areas, larger storage area, and a much needed and improved first aid station.

PROCESS

The following cost analysis was broken down into three Phases, which in turn can be performed in parallel with proper labour and supervision.

Phase One - Outside Activity Area

TOT PLAY AREA

A new play structure will be added to allow children from the ages of 4 to 12 to play, while the much older children will have their own senior play area.

BASKETBALL COURT

The installation of a new 100' x 30' asphalt court complete with 4 or 6 basketball areas. Court to be constructed from 6" of granular "A" with 1" HL-3, and 2" HL-8.

VOLLEYBALL AREA

A 25' x 50' grassed court complete with permanent posts and painted lines.

SHUFFLEBOARD COURT

A near regulation sized concrete court (6' x 50') complete with lines.

REST AREA

The rest area will be located near to the activity area. Size and location is yet to be determined. This will then allow parents to watch over their children utilizing the different play areas.

Job Costing Schedule - Phase One

Tot Play Area	\$ 5,500.00
Basketball Court	7,600.00
Volleyball Court	500.00
Shuffleboard	7,000.00
Rest Area	<u>4,500.00</u>
TOTAL	<u>\$25,100.00</u>

Phase Two - Exterior Building Upgrading

GREEN AREA

This green space will give the Lakeland Community Centre a more inviting and presentable street appearance by incorporating flower beds, trees and a major cleanup of all overgrown foliage in the area.

LIGHTING

Currently we feel that the lighting surrounding the grounds is inadequate for it's proposed use. With the upgrading of existing fixtures, installing new fixtures, and lighting up all play areas the centre can now be used to a greater extent. This also means the possibility of installing a ice rink now that sufficient lighting is available.

POOL

As a yearly maintenance expense the pool must be painted to stop the formation of any type of bacteria.

POOL DECK

Due to the severe lifting and cracking of the pool deck our only viable option would be to cover the concrete deck with a durable indoor outdoor artificial type carpet. This will enhance the pools appearance, while at the same time giving a greater lounging area.

SIDING

Due to the deterioration of the fascia on the building we decided that a vinyl siding on the top 4' of the building fascia will give an attractive finish to the building.

PAINTING

Currently the building is painted and textured in numerous colours. We purpose a repair of the exterior walls as required and a prime and paint finish to coordinate with Hamilton Conservation area blue.

Job Costing Schedule - Phase Two

Green Area	\$ 6,000.00
Lighting	5,000.00
Pool	6,000.00
Pool Deck	8,000.00
Siding	5,000.00
Painting	<u>700.00</u>
TOTAL	<u>\$30,700.00</u>

Phase Three - Interior Upgrading

ELECTRICAL

Utilizing existing panels, wiring and outlets, throughout the building and depending upon application, We deem it necessary to relocate and upgrade depending upon application. The installation of new light fixtures, fire safety equipment and exit signs will bring an attractive appearance to the building while meeting today's current safety standards.

PLUMBING

Since the plumbing system seems to be in fairly good working order, allocations have been made for the upgrading of fixtures, toilets and sinks.

HEATING

Utilizing a section of the existing heating system while implementing a new infrared heating unit, the centre will now be able to run year round.

AIR CONDITIONING

An air conditioning unit will be installed to cool 5000 of the 8500 sq.ft.

CEILING TILES

Due to the inconsistency and colour of the existing ceiling tiles, removal and replacement of all areas is allocated with a new asbestos free tile.

PAINTING

The existing interior colour scheme(white with black trim) will be replaced with white and green trim.

FLOORING

Due to the tremendous expense of removing and replacing the existing flooring we feel that a good carpet cleaning and a resealing/re-waxing of all tile flooring should bring the floors back to a presentable finish.

MISCELLANEOUS

The following items are also scheduled to be replaced:

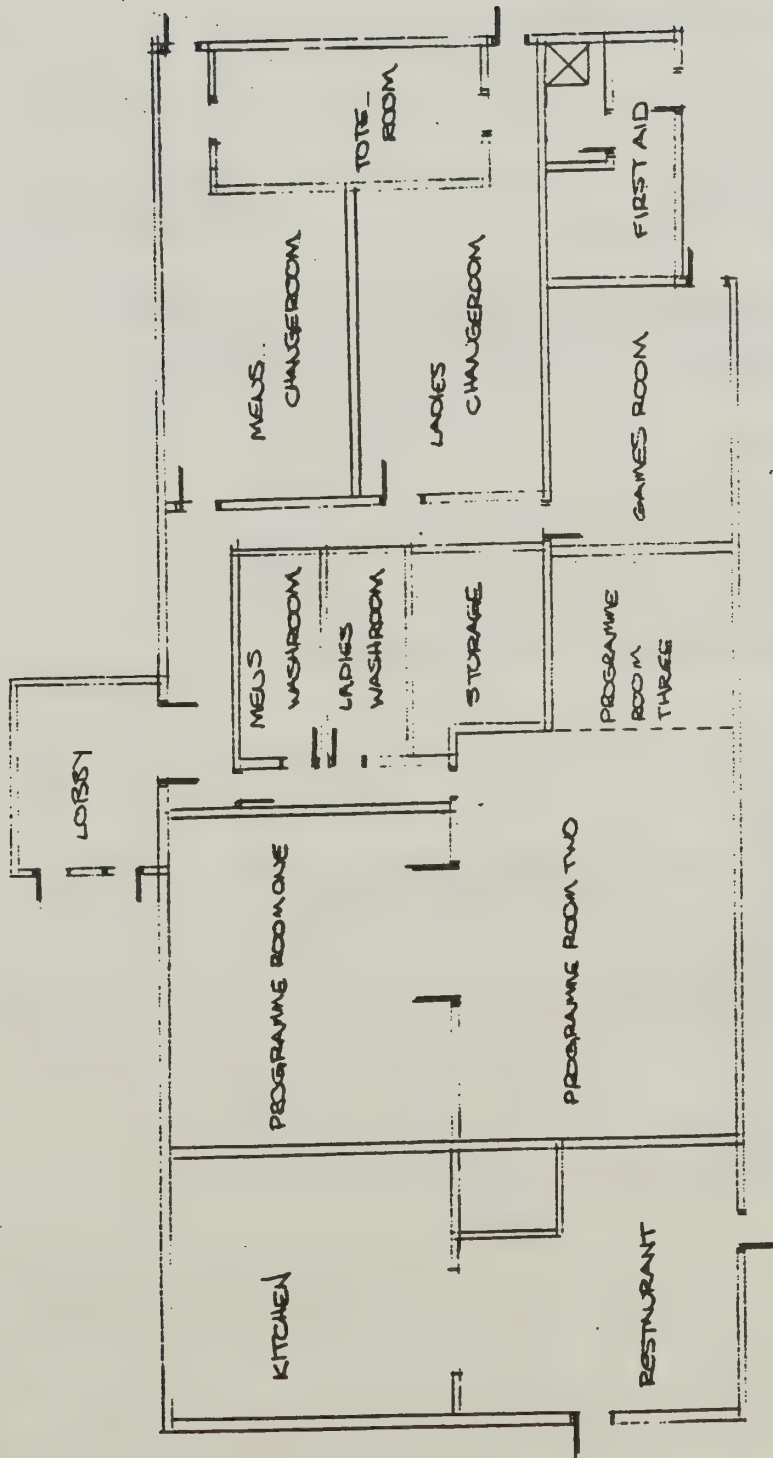
- 1) install sufficient lighting and venting in public washrooms;
- 2) all public washroom doors and hardware to be replaced;
- 3) provide mirrors in washrooms;
- 4) install new exterior doors and hardware where necessary; and,
- 5) replace exterior windows as necessary.

Job Costing Schedule - Phase Three

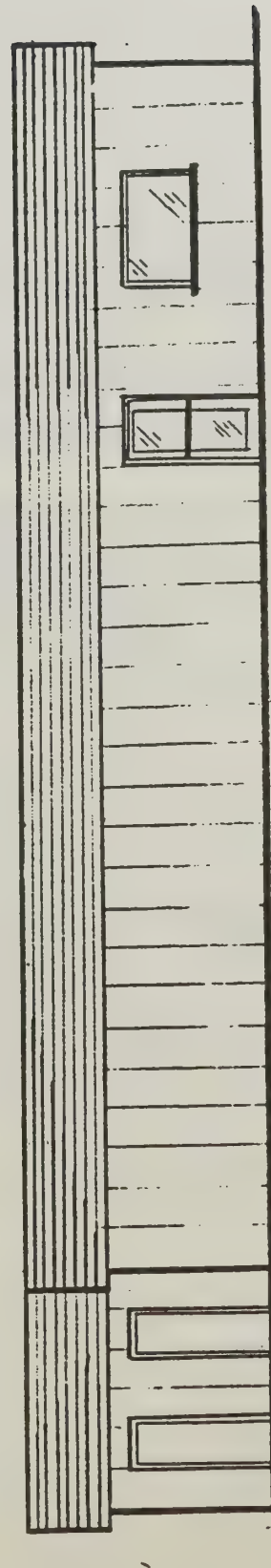
Electrical	\$ 3,500.00
Plumbing	7,000.00
Heating	15,000.00
Air conditioning	10,000.00
Ceiling Tiles	5,000.00
Flooring	3,000.00
Miscellaneous	<u>3,000.00</u>
TOTAL	<u>\$46,500.00</u>

CONTRACT AMOUNT

Phase One	\$ 25,100.00
Phase Two	30,700.00
Phase Three	<u>46,500.00</u>
SUB TOTAL	\$102,300.00
G.S.T.	<u>6,881.00</u>
GRAND TOTAL	<u>\$109,181.00</u>



632



FRONT ELEVATION

1993 May 11

**LAKELAND POOL
REHABILITATION BUDGET**

Submitted by Hamilton East Kiwanis
March 24, 1993

Estimated Capital Repair Costs	\$127,000
less Hamilton East Kiwanis contribution	<u>8,900</u>
	118,100
less Woodward/Beach Strip Community contribution	<u>8,919</u>
Capital Contribution requested	<u>\$109,181</u>

Kiwanis contribution includes:

- contract administration
- site supervision
- clerical support
- finance administration

Woodward/Beach Strip Community contribution includes:

- labour
 - painting
 - cleaning
 - garbage removal
 - final clean up
 - carpet cleaning
 - floor waxing
 - general labour
 - minor electrical
 - minor plumbing
 - landscape labour
- on-going fund raising (additional \$20,000 to complete programming)

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **FIFTH** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton approve the amount of \$225 750. as bridge financing to the Hamilton Public Library for its 1993 operating budget in order to achieve consistency in layoff days with the City of Hamilton CUPE Local 167; and
- (b) That the Chief Executive Officer of the Hamilton Public Library meet with the City's Chief Administrative Officer and the Commissioner of Human Resources in order to ensure that the Library staff reductions in 1993 are consistent with the reductions experienced by City Departments.

Recorded vote.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Wilson, Agostino, Jackson, Anderson. -8.

NAYS: Mayor Morrow, Aldermen Drury, Morelli, Copps, Eisenberger, Charters, Merling, D'Amico, Ross. 9. **LOST**

RESPECTFULLY SUBMITTED,

**MAYOR R. M. MORROW, CHAIRMAN
COMMITTEE OF THE WHOLE**

J. Schatz, City Clerk
1993 May 11

CA4 ON HBL AOS

M21
1993

ites of Hamilton City Council
1993 May 25
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Agostino, Eisenberger, Charters, Merling, Anderson, Ross, D'Amico.

Absent: Alderman T. Jackson - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Reverend David Shepherd, Bethel Gospel Tabernacle led Council in Prayer.

* * * * *

Mr. Ray Harris, President, Hamilton Downtown Business Improvement Area presented Mayor R. Morrow with the first T-Shirt respecting the Restoration of the Gore Park fountain.

* * * * *

Mayor Morrow proclaimed the following:

- (a) "Hamilton-Wentworth Access Awareness Week" - 1993 May 31st to 1993 June 4th
- (b) "Royal Canadian Airforce (Women's Division) Week" - 1993 June 7th-13th
- (c) "The Argyll and Sutherland Highlanders of Canada (Princess Louise's) Week - 1993
May 31st to 1993 June 4th
- (d) "Fitness Week" 1993 May 28th to 1993 June 6th"

* * * * *

The minutes of the Regular meeting of 1993 May 11 were adopted as circulated.

CORRESPONDENCE

1. Application dated 1993 May 18 from Diana Marie Hubbard and Edith Held, 48 Terrace Drive, Dundas, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District for property located at No. 1367 Upper James Street, Hamilton, Ontario.

Recommendation: Received.

2. Application dated 1993 May 18 from Latco (1986) Developments Limited, Yonge-Eglinton Centre, 20 Eglinton Avenue West, Toronto, Ontario for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations for property located at No. 85 Robinson Street (Thistle Club), Hamilton, Ontario.

Recommendation: Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

Section 1 Re: Highridge South - Phase 1

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father is the mortgagor for the Developer of Highridge South - Phase 1.

PARKS AND RECREATION COMMITTEE - TENTH REPORT

Section 19 Re: Purchase Order - W. H. Reynolds (Cambridge) Ltd. - Transportable Mobile Bleachers for Mohawk Sports Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross.
- 15.

NAYS: Alderman Copps. -1.

CARRIED.

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Section 28 Re: Termination of Lease - A. and G. Centurami - 108 Montmorency Drive

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1.

CARRIED.

* * * * *

Section 29 Re: Contract - Dundurn Castle

It was moved by Alderman Copps and seconded by Alderman Morelli that the following be added as Section 29 of the **TENTH** Report for 1993 of the Parks and Recreation Committee:

29. (a) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$1,094,714. for the restoration of Dundurn Castle being the only acceptable bid received in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Castle Restoration Account CF719141002.
- (b) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$379,481. for the restoration of the Cockpit Structure being the lower of two acceptable bids in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Cockpit Restoration Account CF719141008.
- (c) That approval be given to enter into a contract with Colonial Building Restoration Scarborough in the amount of \$552,548. for the restoration of Whitehern being the lowest of three bids in accordance with specifications issued by Manager of Purchasing and vendor's tender and be financed through Whitehern Restoration Account CF719141007.

- (d) That contracts be entered into between the City and Clifford Restoration Limited of Scarborough for the restoration of Dundurn Castle and the Cockpit Structure and Colonial Building Restoration of Scarborough for the restoration of Whitehern.
- (e) That the Mayor and the City Clerk execute the contracts on behalf of the City.
- (f) That the original contract entered into with Taylor/Hazell Architect for consultant work for Dundurn and Cockpit Structures in the amount of \$63,765.25 which was originally approved by Council 1992 May 12, in adopting Item 9 of the Ninth report of the Parks and Recreation Committee Report be increased to \$133,750.
- (g) That the original contract entered into with Taylor/Hazell Architect for consultant work for Whitern in the amount of \$37,017.50 which was originally approved by Council 1992 May 12, in adopting Item 10 of the Ninth report of the Parks and Recreation Committee Report be increased to \$43,220.

CARRIED.

* * * * *

Section 30 Re: Hamilton Tennis Clubhouse Project

It was moved by Alderman Copps and seconded by Alderman Morelli that the following be added as Section 30 of the **TENTH** Report for 1993 of the Parks and Recreation Committee:

30. That staff advise the Guarantee Company of North America, Bonding Company of Memphis Kendall Builders Inc. with respect to the Hamilton Tennis Clubhouse Project, that they have one week to reply in writing of their intentions to retender the project failing which the following action shall be taken:

- (a) The Contract with Memphis Kendall Builders Inc. shall be terminated; and,
- (b) Staff be directed to retender the project and enforce the security provisions.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TENTH REPORT

Section 3 Re: Offer to Purchase - 1632 Upper Ottawa Street

It was moved by Alderman Drury and seconded by Alderman Eisenberger that Section 3 of the Tenth Report of the Planning and Development Committee for 1993 be amended by adding sub-sections "(c)" and "(d)" as follows:

- (c) That this transaction includes special building covenants, agreements and restrictions, which are set out in Appendix "C".
- (d) That the purchaser, Giacomo Angelini, be granted an Authority to enter on the subject lands being the north half of Part 1 and all of Part 5 on Plan 62R-8770, known as 1632 Upper Ottawa Street, for the purpose of soil tests and preliminary site preparation."

CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - TWELFTH REPORT

Section 19 Re: Change in Members to Conduct Hearing for City's Adult Video By-law 93-045

It was moved by Alderman Agostino and seconded by Alderman D'Amico that Section 19 of the Twelfth Report for 1993 of the Finance and Administration Committee be amended to delete the name "Alderman D. Agostino" and insert in lieu thereof the name "Mayor R. M. Morrow".

CARRIED.

* * * * *

Section 1 Re: Highridge South - Phase 1

Alderman D'Amico declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman D'Amico's father is the mortgagor for the Developer of Highridge Estates.

* * * * *

Section 21 Re: Highridge South - Phase 1 - Financing

It was moved by Alderman Charters and seconded by Alderman Anderson that the following be added as Section 21 of the **TWELFTH** Report for 1993 of the Finance and Administration Committee:

21. That the City's share of "Highridge South - Phase 1" Servicing, as referred to in Section 1 of the **SEVENTH** Report for 1993 of the Transport and Environment Committee, at a cost of \$229,738.07, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands. **CARRIED.**

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman D. Wilson be appointed Acting Mayor for the month of June, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

C-42, C-44, C-45, C-46, C-47.
H-40, H-41, H-42.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

C-42, C-44, C-45, C-46, C-47.
H-40, H-41, H-42.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

C-42, C-44, C-45, C-46, C-47.
H-40, H-41, H-42.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

C-42, C-44, C-45, C-46, C-47.
H-40, H-41, H-42.

1993 May 25

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 8:45 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

S. G. Hollowell, Acting Clerk
1993 May 25

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SEVENTH Report for 1993 and respectfully recommends:

1. (a) That the submitted schedule of works be adopted for inclusion in the Subdivision Agreement with the Owners for the estimated cost of services in:

" HIGHRIDGE SOUTH - PHASE 1", Hamilton

City's Share \$229,738.07 Owner's Share \$690,410.86

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owners of "Highridge South - Phase 1", Hamilton as well as any other related documents for this Subdivision, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement have been registered.
- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing.
- (e) That the City's share for services in "Highridge South - Phase 1", Hamilton (\$229,738.07) be approved and that the Finance and Administration Committee recommend the source of funding for this project.

1993 May 25

- (f) That application be made to the Region for approval to establish Upper Paradise Road from the north limit of "Highridge South - Phase 1" subdivision onto the south side of Rymal Road West as a public road allowance pursuant to Section 48(3) of the Regional Municipality of Hamilton-Wentworth Act.
- (g) That the City Subdivision Agreement be amended to include a clause stating that the building permits will not be issued for Lots 64 and 65 of the Final Plan of Subdivision for "Highridge South - Phase 1" until storm and sanitary sewers have been constructed on Rymal Road West adjacent to Lots 64 and 65.

RESPECTFULLY SUBMITTED

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

Kevin C. Christenson
Secretary
1993 May 25

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TENTH** Report for 1993 and respectfully recommends:

1. That permission be granted to the Gershome Neighbourhood Park Committee to hold a fireworks display in conjunction with their official park opening on 1993 June 30; subject to the Gershome Neighbourhood Park Committee providing proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured.
2. That approval be given to Inch Park Baseball Association to sell alcoholic beverages at their Fundraising Dance scheduled to take place at the Inch Park Ice Pad on 1993 May 29, subject to the following terms and conditions:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured be provided.
 - (b) That the applicant meet all requirements of the Liquor License Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for clean-up and all labour-related costs as a result of this event.
 - (d) That the rental fee of \$175. be waived for this event.
 - (e) That the appropriate financial statement be submitted following this event.

3. (a) That permission be granted to the Hellenic Community of St. Demistrios to utilize Victoria Park for the purpose of hosting their Festival to be held 1993 July 30 to 1993 August 2, subject to the following terms and conditions:
 - i. That approval be received from Health and Fire Departments for arrangements for the sale of food and refreshments.
 - ii. That proof of \$2 million Public Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - iii. That police security, satisfactory to the Hamilton-Wentworth Regional Police be provided.
 - iv. That precaution be taken by the organizers to ensure grounds are not damaged and financial restitution be made to the City for any damage that may occur.
 - v. That all City costs over the above the norm, incurred as a result of this event be paid by the applicant.
- (b) That permission be granted to the Hellenic Community of St. Demistrios to provide amusement rides, games, food and novelty concessions at Victoria Park, to be operated by Big "A" Amusement Limited.
4. That permission be granted to the Greek-Canadian Church to erect a tent at Inch Park for the purpose of cooking and selling food and to provide an area for entertainment and dancing, in conjunction with their Annual Greek Fest to be held 1993 August 14, August 15 and August 16, subject to the following terms and conditions:
 - (a) That approval be received from Health and Fire Departments for arrangements for the sale of food and refreshments.
 - (b) That proof of \$2 million Public Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.

- (c) That police security, satisfactory to the Hamilton-Wentworth Regional Police be provided.
 - (d) That precaution be taken by the organizers to ensure grounds are not damaged and financial restitution be made to the City for any damage that may occur.
 - (e) That all City costs over the above the norm, incurred as a result of this event be paid by the applicant.
 - (f) That permission be granted to park 100 vehicles on Inch Park, in an area approved by the Parks Division.
5. That approval of the request by the International Society of Arboriculture to use Gage Park (northwest of bandshell) to host the "Tree Climbing Jamboree", 1993 June 12 from 8:00 o'clock a.m. to 5:00 o'clock p.m., subject to the following terms and conditions:
- (a) That insurance, in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability, and 30 days notice of cancellation, be provided.
 - (b) That the applicant assume responsibility for all labour-related costs as a result of this event i.e. clean-up.
 - (c) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
 - (d) That the rain date for this event will be 1993 June 13.
6. That permission be granted to the Hamilton Wentworth Creative Arts Inc. to use Gore Park for the "Buskingfest" to be held 1993 June 3, June 4 and June 5, from 12:00 o'clock noon to 9:00 o'clock p.m. subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive Liability Insurance for Property Damage and Bodily Injury be provided, same to be submitted 30 days in advance of the event and naming the City as co-insured satisfactory to City.

- (b) That the applicant assume responsibility for all labour-related charges associated with the event, (set-up, dismantling, clean-up, etc.).
 - (c) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (d) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
7. That permission be granted to the Hamilton Croatia Soccer Club to sell beer and food on the occasion of the Annual North American Croatian Soccer Tournament to be held at Mohawk Sports Park and Brian Timmis Stadium, on 1993 September 4 and September 5, subject to the following terms and conditions:
- (a) That proof of insurance in the amount of \$2 million, Comprehensive General Liability Insurance for Property Damage and Bodily Injury, subject to cross liability naming the City as co-insured, be submitted 30 days in advance of the event.
 - (b) That all requirements of the Liquor Licence Board of Ontario are met.
 - (c) That beer be served in a confined area of the park.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of the event, including set-up and clean-up.
 - (e) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
8. That permission be granted to the Hamilton Ladies Slo-Pitch Softball Association Inc. to sell alcoholic beverages during the occasion of their slo-pitch tournament, scheduled at Globe Park, 1993 May 29 and May 30, subject to the following terms and conditions:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.

- (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That special duty officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
9. That permission be granted to the Hamilton and District Slo-Pitch Association to sell beer during the occasion of their softball tournament, scheduled at Globe Park, on the following dates 1993 June 3 to June 6, under the terms and conditions which includes the following:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That special duty officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
10. That permission be granted to the Hamilton Press Club to sell beer during the occasion of their baseball tournament, scheduled at Globe Park, commencing 1993 June 11 to June 13, under the terms and conditions which includes the following:

- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That special duty officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
11. That permission be granted to Union Gas Limited to sell alcoholic beverages during the occasion of their baseball tournament, scheduled at Globe Park, commencing 1993 June 18 to June 20, under the terms and conditions which includes the following:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That special duty officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

12. That permission be granted to the Tournament Players Series (T.P.S.) Slo-Pitch Team to sell beer during the occasion of their Slo-pitch Tournament, scheduled at Globe Park, on the following dates 1993 June 26 and June 27, under the terms and conditions which includes the following:
 - (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.
13. That permission be granted to the United Way of Burlington, Hamilton-Wentworth to serve food and alcoholic beverages in the Dundurn Park Pavilion on the occasion of their Annual Meeting being held in Dundurn Park Pavilion, 1993 June 17, from 5:00 o'clock p.m. to 8:00 o'clock p.m., subject to the following terms and conditions:
 - (a) Proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour-charges associated with the event (set-up, dismantling, clean-up, etc.)
 - (c) That alcoholic beverages may be served in the confined area of the Pavilion (beer and wine) on June 17 from 5:00 o'clock p.m. to 8:00 o'clock p.m.
 - (d) That the application adhere to all regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcoholic beverages.

- (e) That special duty officer as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
14. That permission be granted to the Hamilton Association of the Deaf to serve food and alcoholic beverages in the Dundurn Park Pavilion on the occasion of their Picnic/Barbecues being held in Dundurn Park Pavilion, 1993 July 18 and August 14, 12:00 o'clock noon to 7:00 o'clock p.m., subject to the following terms and conditions:
- (a) Proof of \$2 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, naming the City as co-insured.
 - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)
 - (c) That alcoholic beverages may be served in the confined area of the Pavilion (beer and wine) on July 18 and on August 14 from 12 o'clock noon to 7:00 o'clock p.m.
 - (d) That the application adhere to all regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcoholic beverages.
 - (e) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
 - (f) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.

15. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended To Date	Balance Available	Source(s) of Financing
738841001	Construct Conservation Laboratory	220,000.00	220,000.00	0	
738904001	Jason Project	410,000.00	410,000.00	0	
TOTAL		630,000.00	630,000.00	0	

16. (a) That the proposal by the Head-of-the-Lake Historical Society attached hereto as Appendix "A", to create and install a replica of the original Gore Park Fountain in a location within Gore Park (including the street allowance which bisects the park) as a project celebrating the City of Hamilton's Sesquicentennial in 1996, be endorsed in order that they may commence fundraising activities; and
- (b) That the Manager of the Parks Division continue to meet with stakeholder groups and come back to the Parks and Recreation Committee with a recommended location at the 1993 June 22 Committee Meeting.
17. (a) That the City sublet part of 499 Beach Boulevard to the Regional Municipality of Hamilton-Wentworth for the installation of a sanitary sewer pumping station. The lease term is one year at a rent of \$1. per annum and compliance with the terms and conditions set out in the existing lease between the City and the Hamilton Region Conservation Authority. The subject property is shown as Part 3 on Plan 62R-12415 and comprises approximately 619.99 square metres (6,673.84 square feet).

- i. That this Lease be extended on an annual basis until such time as the overall transfer of Beach Strip properties takes place between the Authority and the City, at which time the Regional Municipality of Hamilton-Wentworth will purchase a permanent registered interest in the lands;
- (b) That an Authority to Enter Agreement be entered into with the Region to allow the construction of a sewage pumping station on the property known as 499 Beach Boulevard, shown as Part 3 on Plan 62R-12415, commencing the day after Regional Officials execute the Agreement.
- (c) That the City sublet 377-379 Beach Boulevard to the Regional Municipality of Hamilton-Wentworth for the installation of a sanitary sewer pumping station and public washroom facilities. The lease term is one year at a rent of \$1. per annum and compliance with the terms and conditions set out in the existing lease between the City and the Hamilton Region Conservation Authority. The subject properties are shown as Parts 1 and 2 on Plan 62R-12415 and comprise approximately 799.99 square metres (8,611.40 square feet).
 - i. That this lease be extended on an annual basis until such time as the overall transfer of Beach Strip properties takes place between the Authority and the City, at which time the Regional Municipality of Hamilton-Wentworth will purchase a permanent registered interest in the lands.
 - ii. That the washroom facilities at 377-379 Beach Boulevard will be constructed by the Region in a manner which reflects the architectural character of the Beach Community to the satisfaction of the Commissioner of Transportation/ Environmental Services and the Director of Public Works.
 - iii. That upon transfer of the properties at 377-379 Beach Boulevard to the Region:

- (aa) annual rental payments shall be paid by the City to the Region in the amount of \$6,100. per year (based on capital cost recovery over a period of 20 years).
 - (bb) the City will undertake, at its cost, all ground maintenance, grass cutting, etc., washroom maintenance and maintenance of wooden external siding.
 - (cc) the washroom facilities will have its own entrance.
 - (dd) the Region will provide heat in the washroom facilities at no cost to the City.
 - (ee) separate meters will be installed for water and hydro, which will be read annually by the Region and billed to the City.
 - (ff) should the facilities be ready for use prior to the transfer, if the City decides to use same, all of the above terms and conditions will apply with the exception of (aa) above.
- (d) That an Authority to Enter Agreement be entered into with the Region to allow the construction of a sewage pumping station and washroom facilities on the property known as 377-379 Beach Boulevard, shown as Parts 1 and 2 on Plan 62R-12415, commencing the day after Regional Officials execute the Agreement.
 - (e) That the Mayor and City Clerk be authorized and directed to execute all necessary documents to finalize this transaction.
18. (a) That a purchase order be issued to All Around Contracting Inc., Hamilton, in the amount of \$92,704.16, including all taxes and contingency, for drainage improvements at Olympic Park, being the lowest of ten tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor' tender, and be financed through Work Done For Others Account No. CH56398 62910 703-DEV015.

- (b) As this project will take up to thirty working days to complete, and the sports season starts mid-May, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
19. (a) That a purchase order be issued to W. H. Reynolds (Cambridge) Ltd., Cambridge, in the amount of \$87,266.83 to supply and deliver two transportable mobile bleachers for Mohawk Sports Park, being the lowest acceptable of two proposals received in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal, and be funded through Mohawk Sports Park-Lights and Bleachers (Work Done for Others) Account No. CH56103 62910.
- (b) As the order must be placed by mid-April to have these bleachers delivered in time for the World University Games 1993 July 7, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Alderman Copps. -1.

CARRIED.

20. That the admission fees to the Hamilton Museum of Steam and Technology be waived on 1993 June 25 and June 26 to enable the Museum to participate in the Regional Water Treatment Plant Open House.

21. That approval be given to the Hamilton Museum of Steam and Technology to apply for the Ministry of Culture, Tourism and Recreation Experience '93 grant under the Cultural Component.
22. That approval be given to deaccession the following artifact for donation from the Hamilton Military Museum to the British High Commission via the Canadian War Museum:

M1981.92.224 Royal Hamilton Light Infantry Cap Badge, World War II issue.

23.
 - (a) That the existing Lease allowing Alex Centurami and Giuseppina Centurami to use 1,275 square feet of City lands located at the rear of 108 Montmorency Drive for \$1. per annum plus taxes be terminated.
 - (b) That the Director of Property take the necessary action required to eliminate an additional encroachment into the City's ravine lands.
 - (c) That the City Solicitor be authorized and directed to take action to have the owner remove the structures and restore the grading to comply with Ontario Regulation 617/86, Conservation Authorities Act.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1.

CARRIED.

24.
 - (a) That the development plan attached hereto as Appendix "B" for the reconstruction of the Buttermilk Falls parking area be approved for implementation.
 - (b) That the \$31,000. funding required for this project be taken from the available funds in Account No. CF629054013.

25. That a currently vacant position of Sports Groundsman II within the Parks Development and Maintenance Section be eliminated.
26. (a) That the Opening Ceremony for Pier-4 and Harbourfront Parks be held on Friday, 1993 July 23 at 6:30 o'clock p.m. coinciding with the commencement of the annual Aquafest event.

(b) That the civic funding portion totalling \$6,000. for this event be taken from Account No. CF41925 4003 Harbourfront Park Remediation - Stage 2.
27. (a) That the Terms of Reference as identified in Appendix "C" attached hereto, be adopted as the guidelines for undertaking the West Harbourfront Development Study.

(b) That for the purposes of coordinating the overall study as identified in the Terms of Reference, the West Harbourfront Development Steering Committee be comprised of:

Chairperson of the Parks and Recreation Committee

4 City Councillors - Alderman T. Cooke

Alderman B. Morelli

Alderman D. Ross

Alderman F. Eisenberger

City of Hamilton Representative - Hamilton Harbour Commissioners

3 Representatives from the Local Business Community

3 Representatives from the Citizens of Hamilton

- (c) That the City Clerk be authorized to advertise for the private sector and citizen positions on the Steering Committee, in order that the City Councillor Steering Committee members may complete interviews and establish the full Steering Committee.
 - (d) That a West Harbourfront Development Technical Advisory Committee be established under the coordination of the Manager of Parks, to provide technical support to the Steering Committee with representation from various Civic and Regional Departments as follows:

Chief Administrative Officer	-	Joe Pavelka
Local Planning	-	Victor Abraham
Law Department	-	Patrice Noé Johnson
Property Department	-	Dan Vyce
Regional Economic Development	-	Nick Catalano
Regional Special Projects	-	John van der Mark
Regional Environmental Services	-	Konrad Brenner
Treasury Department	-	Alan Ross
Culture and Recreation Department	-	Robert Sugden
Traffic Department	-	Murray Main
Public Works Department	-	Doug Lobo
Parks Division	-	Chris Firth-Eagland
Canadian National Railway	-	(to be named)
 - (e) That the Steering Committee establish a public outreach programme to solicit public input including open house meetings.
 - (f) That the various sub-committees and stakeholder groups identified in the Terms of Reference name a designate to facilitate the two-way flow of communication between their respective agency and the West Harbourfront Development Technical Advisory Committee.
 - (g) That the Secretary of the Parks and Recreation Committee be appointed as the Secretary of the West Harbourfront Steering and Technical Advisory Committees.
28. That approval be given to name the newly created Neighbourhood Park in the Gershome Neighbourhood the "Father Sean O'Sullivan Memorial Park".

29. (a) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$1,094,714. for the restoration of Dundurn Castle being the only acceptable bid received in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Castle Restoration Account CF719141002.
- (b) That approval be given to enter into a contract with Clifford Restoration Limited, Scarborough in the amount of \$379,481. for the restoration of the Cockpit Structure being the lower of two acceptable bids in accordance with specifications issued by Manager of Purchasing and Vendor's tender and be financed through Dundurn Cockpit Restoration Account CF719141008.
- (c) That approval be given to enter into a contract with Colonial Building Restoration Scarborough in the amount of \$552,548. for the restoration of Whitehern being the lowest of three bids in accordance with specifications issued by Manager of Purchasing and vendor's tender and be financed through Whitehern Restoration Account CF719141007.
- (d) That contracts be entered into between the City and Clifford Restoration Limited of Scarborough for the restoration of Dundurn Castle and the Cockpit Structure and Colonial Building Restoration of Scarborough for the restoration of Whitehern.
- (e) That the Mayor and the City Clerk execute the contracts on behalf of the City.
- (f) That the original contract entered into with Taylor/Hazell Architect for consultant work for Dundurn and Cockpit Structures in the amount of \$63,765.25 which was originally approved by Council 1992 May 12, in adopting Item 9 of the Ninth report of the Parks and Recreation Committee Report be increased to \$133,750.
- (g) That the original contract entered into with Taylor/Hazell Architect for consultant work for Whitern in the amount of \$37,017.50 which was originally approved by Council 1992 May 12, in adopting Item 10 of the Ninth report of the Parks and Recreation Committee Report be increased to \$43,220.

ADDED AND CARRIED.

1993 May 25

30. That staff advise the Guarantee Company of North America, Bonding Company of Memphis Kendall Builders Inc. with respect to the Hamilton Tennis Clubhouse Project, that they have one week to reply in writing of their intentions to retender the project failing which the following action shall be taken:

(a) The Contract with Memphis Kendall Builders Inc. shall be terminated; and,

(b) Staff be directed to retender the project and enforce the security provisions. **ADDED AND CARRIED.**

Respectfully Submitted,

Kevin C. Christenson
Secretary

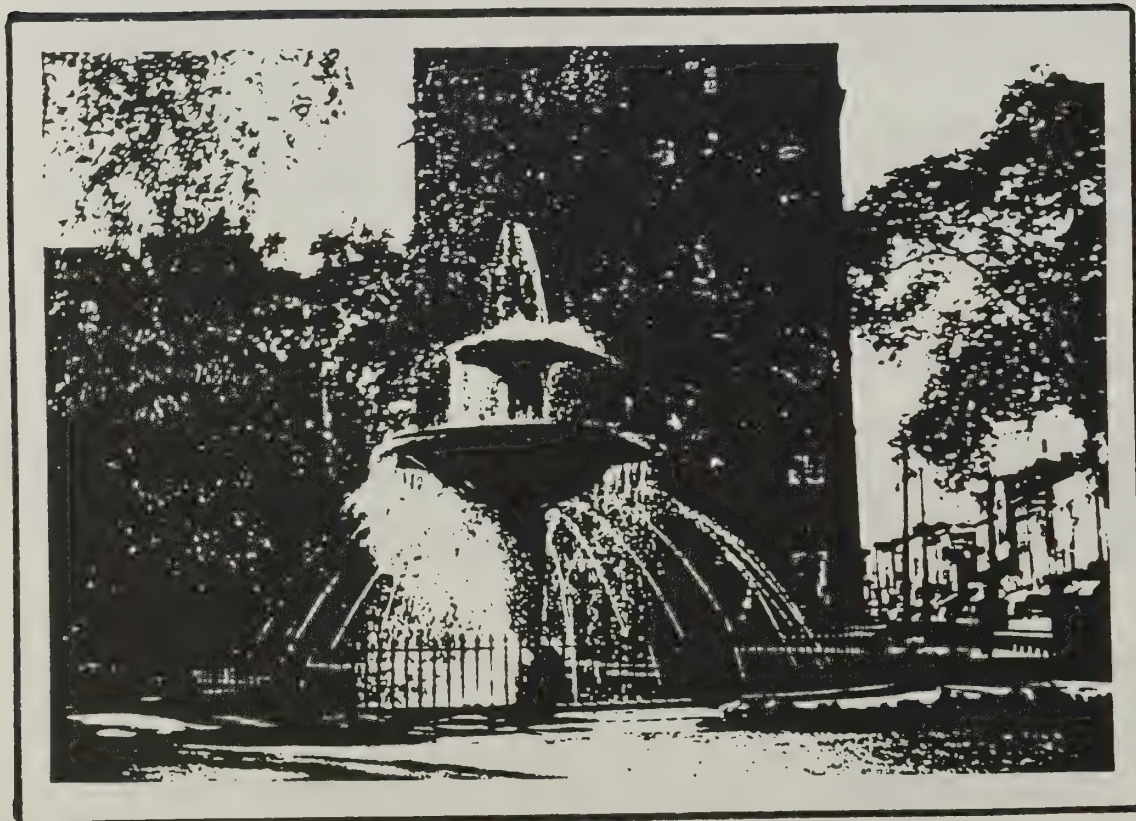
ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 May 18

1993 May 25

Appendix "A" as referred to in
Section 16 of the TENTH Report
of the Parks and Recreation
Committee for 1993

A PROPOSAL FOR THE RESTORATION
OF THE ORIGINAL GORE PARK FOUNTAIN



The Head-of-the-Lake
Historical Society *
Gore Park Fountain
Restoration Committee

PROPOSAL: To recreate and install the original Gore Park fountain as a project celebrating the City of Hamilton's Sesquicentennial in 1996.

BACKGROUND: The Gore of Hamilton was originally set aside by the city's founder, George Hamilton, for use as an open green space. The failure of Nathaniel Hughson to follow through on an agreement to provide an identical piece of property, which would have given the lot a rectangular configuration, resulted in the unique "gore" shaped area which was eventually developed into a formal park. The central location of this open space roughly mimics the town "common" or "green" so prevalent in 18th and early 19th century U.S. settlements.

In the 1850's, Hamilton undertook the planning and development of a reliable supply of safe, fresh water. Incorporated into the plans for a network of water lines fed from a pumphouse located adjacent to Lake Ontario, was a centrepiece fountain to be erected in Gore Park. This fountain, and its smaller mate located just East of John Street, would proudly remind citizen and visitor alike of Hamilton's progressive nature. Though tested as early as 1859, the waterworks and fountain were not formally dedicated until the arrival of His Royal Highness, Edward Prince of Wales in September of 1860. That the city had been able to arrange for this royal presence at the dedication, in an era pre-dating trans-Atlantic travel by the Monarchy, speaks highly of both the vision of the City Fathers and of the importance of the project itself. In an earlier ceremony, a young Hamilton schoolboy had been given the honor of opening the valve to the fountain itself. That young boy was John Morison Gibson, who would go on to distinguish himself as one of the visionaries who successfully brought hydro-electricity into Hamilton from Decew Falls. Gibson would eventually become this city's first representative as Lieutenant-Governor of the Province of Ontario. Clearly the fountain had a long, proud place in Hamilton's history.

Age and deterioration led to the dismantling and removal of the fountain in 1959. Subsequent redevelopment has seen a succession of three different fountain treatments in the intervening thirty-two years. Though each design has been different and unique, none has captured the essence of, or the public's fondness for the original.

Given the current review of Gore Park's function and purpose in the future of the downtown core, the public's continued restlessness with repeated attempts to redefine the park itself, the fondness and nostalgia attached to the original fountain, and the importance of the upcoming 150th anniversary of the City of Hamilton, the Head-of-the-Lake Historical Society believes the time is right to re-establish a city landmark in a positive, celebratory manner.

MECHANISM FOR ACHIEVING THIS PROPOSAL: Assuming that this proposal is accepted in principle by the various interested parties, it would be the Society's intention to operate the project as a private one. As a private effort, by apolitical interests, it is hoped that any residual negative criticism from conflicts and different opinions concerning the redevelopment of the park might be avoided. A private effort also relieves the city from having to defend the costs of the project.

By recreating the original fountain, and perhaps even being able to incorporate some of its original components, the possibility exists to elevate the project to the level of a cause celebre with Hamilton residents, both older ones who can recall the original, and younger ones who's imaginations can be captured. This enthusiasm is seen as being central to the recreation, both in terms of allowing citizens to directly participate in the restoration of a cherished landmark, and in the funding of the venture. For these reasons it would be important not to stray from the original design except in the interests of safety and/or structural integrity. Any further deviation would risk the loss of the public's imagination thereby reducing the proposal to yet another attempt to replace rather than recreate the original.

Having successfully suggested and developed the proposal to incorporate the former Hamilton City Hall clock and bell mechanism in the present Hamilton Eaton Centre, the Society believes that thorough planning and public support are the key elements in the recreation of the fountain. Towards this end we would closely follow the model of the clock project wherever possible. It is realized that this project is different however and that it would require a somewhat different strategy, notably in the area of funding. Given the stature of the project, the potential public participation and good will garnered from it, and the overall importance and celebration of the Sesquicentennial, this is not seen as being prohibitive.

1993 May 25

LOCATION: The original fountain was sponsored by the Bank of British North America and was consequently placed adjacent to the bank. This structure was located on the South side of King Street, on the site presently occupied by the Bank of Nova Scotia. From an historical point of view the Society would encourage a setting as close to the original as possible. However, realizing that subsequent alterations and redefinition of the park might make such a placement difficult, it would also accept that a location to the East of the original might be necessary. This could be advantageous if the infrastructure for the present water pool could be incorporated. As there has often been talk of closing the segment of Hughson Street that bisects the park, a strong argument could be made for the placement of the fountain in this highly visible location if such a closure were anticipated.

However the Society recognizes that any decision in the placement of such a fountain would involve input from many individuals and organizations. The above suggestions are therefore made only with a thought towards the aesthetics and the historical integrity of any such decision.

1993 May 25



Downtown Hamilton Business Improvement Area.
P.O. Box 1023, Station A, Hamilton, Ontario L8N 3R4 Telephone (416) 523-1646

August 21, 1992

Head-of-the Lake
Historical Society
P.O. Box 896, Station A
HAMILTON, Ontario
L8N 3P6

Attention: Mr. Dennis Missett

Dear Sir:-

RE: THE GORE PARK FOUNTAIN

First, on behalf of the Board of Directors of the Downtown Promenade BIA, I want to thank you and your committee for your presentation at our Board Meeting, Wednesday, August 26th.

After you left, the Board directed me to advise you that they heartily endorse your proposal of bringing a replication of the original fountain into the Gore as part of the City's Sesquicentennial Anniversary.

The two requests that we are attaching to this endorsement is that we be provided with a clear photograph or perhaps an architect's drawing of the proposed fountain and as well, we wish to make it clear that we will ultimately want to be consulted and have input on the specific location of the fountain within Gore Park.

Again, thank you for your public spirit and efforts to bring back some history into the downtown area and provide this City with a beautiful focal point for it's residents and visitors. We wish you every success.

Yours truly,

C. R. Harris, Chairman,
Board of Directors,
Downtown Promenade B.I.A.

1993 May 25

ROBERT M. MORROW
MAYOR



July 14th, 1992

Mr. Dennis Missett
President
The Head-of-the-Lake Historical Society
P.O. Box 896, Station A
HAMILTON, Ontario
LSN 3P6

Dear Dennis:

RE: PROPOSAL FOR THE RESTORATION OF
THE ORIGINAL GORE PARK FOUNTAIN

I was delighted to have the opportunity of meeting with you and Mr. Ray Harris of the Downtown Business Improvement Area with respect to a very special Hamilton Sesquicentennial project - - the recreation and installation of a replica of the original Gore Park Fountain. This very special project would help us celebrate our Sesquicentennial and restore a major focal point in our downtown core.

The Head-of-the-Lake Historical Society successfully recommended and developed a proposal to incorporate the former Hamilton City Hall clock and bell mechanism in the present Hamilton Eaton Square, and I am confident from this experience you and your colleagues will be able to restore the fountain in Gore Park. I strongly support this project and would encourage as many members of the community as possible to participate by providing private funds to make this a truly significant part of our 1996 Sesquicentennial in Hamilton.

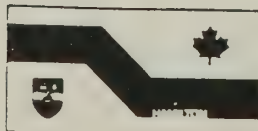
Yours sincerely,

RM

Robert M. Morrow
Mayor

RMM/DC/pb.

cc: Members of Hamilton City Council
R. Sugden, Director of Culture & Recreation
D. Carson, Executive Assistant to the Mayor



City Hall
71 Main Street West, Hamilton, Ontario, Canada L8N 3T4
Telephone : (416) 669-2790
546-2448 (TDD Only)

THE HEAD-OF-THE-LAKE HISTORICAL SOCIETY

Tracing its heritage back to the Wentworth Historical Society of the late 19th and early 20th century, our society was founded in 1944. The name itself was selected as a reminder that some of the earliest settlers referred to the Western shores of Lake Ontario simply as "the head of the lake." Since its inception, our membership has enthusiastically fulfilled the motto "Explore-Preserve-Relate" in a variety of ways. The organization's regular monthly meetings have provided the amateur and professional historian alike the forum to share their research and discoveries about our City's past. Many of these essays have been published in the Society's journal Wentworth Bygones.

The ongoing collection of historical photographs has evolved into an excellent collection of images of Hamilton's development. These are presently held in the Special Collections Department of the Hamilton Public Library. In 1985, this attempt to preserve photographs evolved into the award winning pictorial history Around and About Hamilton 1785-1985, which to date has sold over six thousand copies.

Undoubtedly our Society's most ambitious project to date has been to successfully convince Cadillac Fairview to incorporate the former Hamilton City Hall clock and bell mechanism into the Hamilton Eaton Centre in 1990. Formed in 1986, a committee of our members provided the historical background and enthusiasm necessary to ensure that the City Council and Cadillac Fairview recognized the merits of restoring the clock to its prominent place on James Street North.

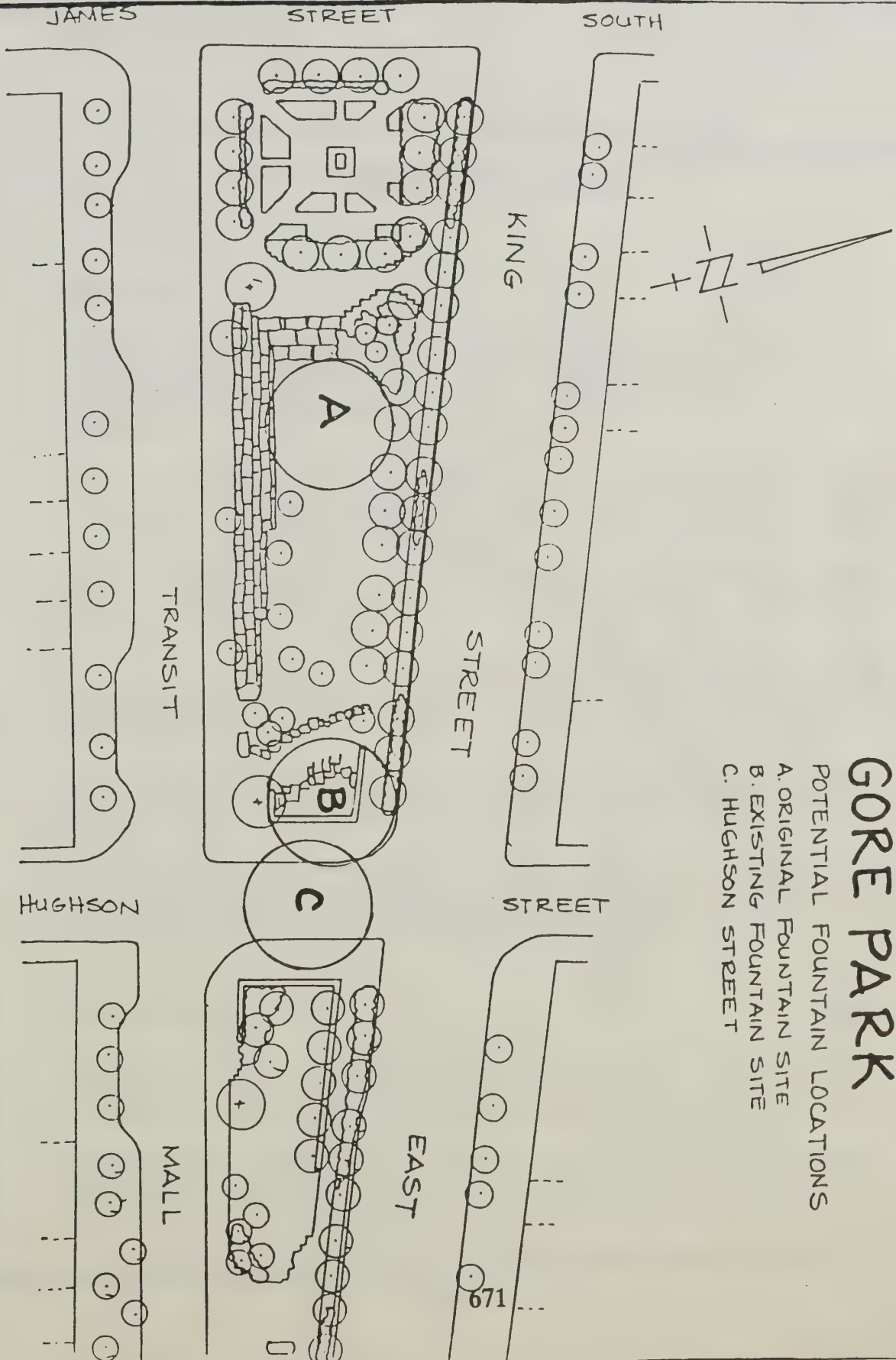
Through activities and achievements such as these a strong pride and commitment to Hamilton's rich history may be found. The proposal to replace the historic Gore Park fountain as a part of our City's sesquicentennial celebration in 1996 is yet another attempt to share that pride with all Hamilton's citizens.

1993 May 25

GORE PARK

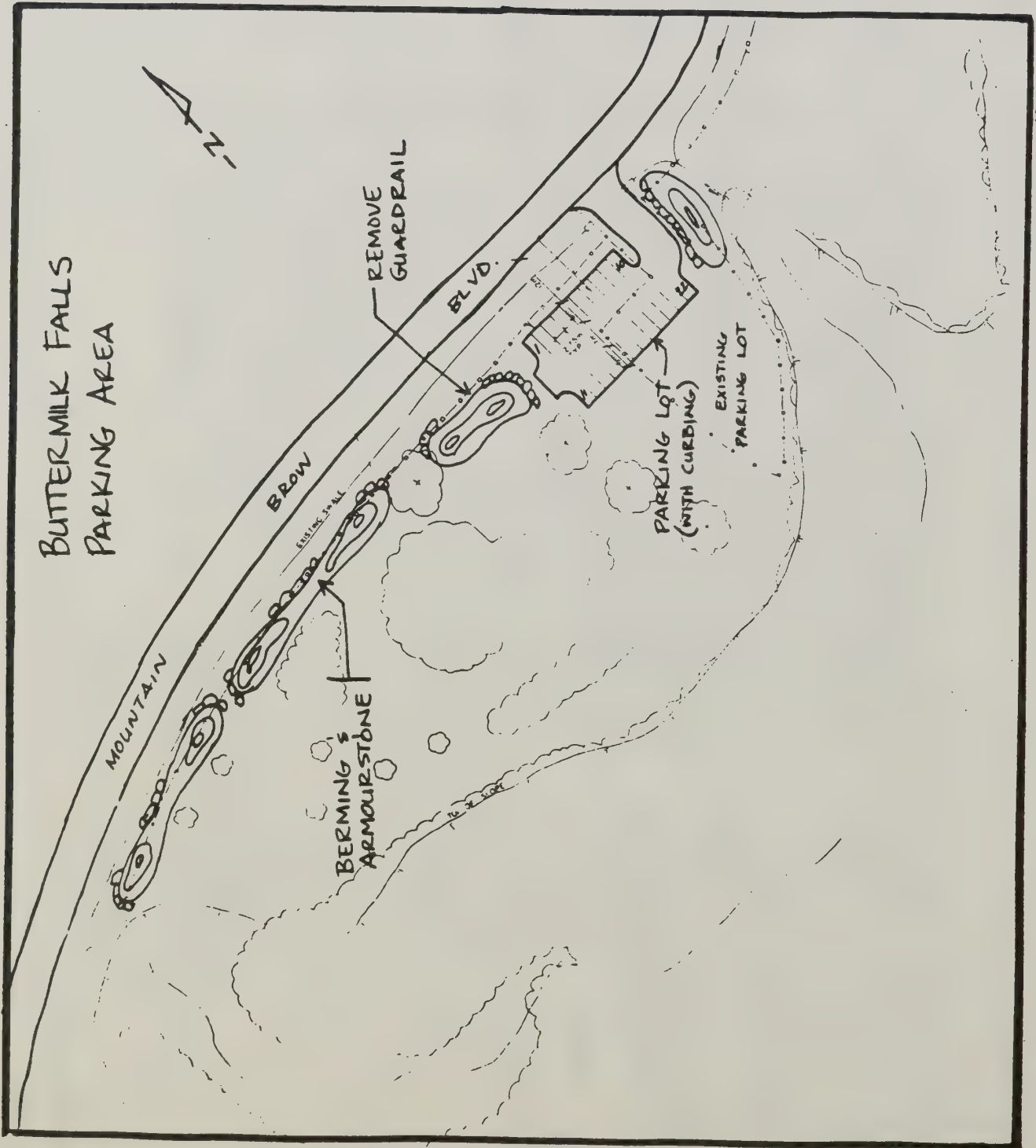
POTENTIAL FOUNTAIN LOCATIONS

- A. ORIGINAL FOUNTAIN SITE
- B. EXISTING FOUNTAIN SITE
- C. HUGHSON STREET



1993 May 25

Appendix "B" as referred to in
Section 24 of the TENTH Report
of the Parks and Recreation
Committee for 1993



WEST HARBOURFRONT DEVELOPMENT STUDY

TERMS OF REFERENCE

Introduction

Hamilton is blessed with numerous natural features which have helped shape the development and character of this City. Of all the significant features such as the Niagara Escarpment, Cootes Paradise, Hamilton Beach, numerous ravines and watercourses, Hamilton Harbour with access to Lake Ontario has contributed the most to this City's development.

As with numerous other cities around the globe which share Hamilton's good fortune in having a significant harbour, a long range vision is required which will govern the future development of the land base forming the most integral part of our waterbased resource.

The West Harbourfront Development Study is intended to be a comprehensive, multi-disciplinary project which will ultimately lead to a development vision to guide the future of the West Harbourfront Precinct.

In order for this study to be truly 'comprehensive' and to achieve the desired end product, the study process must involve the perspectives and cooperation of numerous public and private agencies. In this regard, commitment to the study will be the key to it's success.

It is imperative to recognize from the outset that the number of Civic and Regional departments, sub-committees of Council, public and private interest groups having the skills, interests and jurisdictions concerning the many facets of the study, is very large.

The coordination and integration of these various groups and the monitoring and follow through on related tasks will be the most formidable aspect of the overall study. To this end, a Steering Committee and supporting Technical Advisory Committee will be formed to ensure the ongoing direction and commitment needed for the successful completion of the project.

Mission Statement

The City of Hamilton, through the West Harbourfront Development Steering Committee, will undertake a comprehensive, multi-disciplinary study of the West Harbourfront Precinct to prepare development concept plans to guide the future development of this resource.

Recognizing that the study is unique and impacts upon the entire Community of Hamilton, this study must integrate a broad range of issues and interests in a comprehensive process that is simple, efficient and fiscally responsible in nature.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Goals

For the long term, prepare development guidelines and conceptual plans for the successful, integrated development of the West Harbourfront Precinct.

For the short term, prepare detailed development plans for the Harbourfront Park site.

Study the feasibility of developing a multi-use sports complex/feature attraction, within the West Harbourfront Precinct.

Principles

1. The Steering Committee will co-ordinate the overall study through the Parks and Recreation Committee, having the authority to represent City Council.
2. The study shall be undertaken by a team of 'in house' staff from various Civic and Regional Departments to the extent possible with private sector consultants undertaking specific tasks under the direction of the Steering Committee.
3. The study process shall incorporate private and public sector representation, neighbourhood and public at large perspectives. Input shall be solicited through open house meetings and workshops.
4. The study process shall incorporate input from the various advisory committees of City Council through liaison representatives, reporting to the Technical Advisory Committee.
5. The study recognizes the need for universal public access to the waterfront.
6. The study will reflect positive human and natural environment enhancements within the contexts of sustainable development.
7. While being complimentary to the City's existing commercial matrix, the study will examine opportunities for new private sector as well as joint venture initiatives within the West Harbourfront Precinct and the community at large.
8. The study will recognize the need to minimize the negative impacts of any development or intensification of use, to the adjacent residential neighbourhoods and the community at large.
9. The study will establish a broad range of guidelines to govern the character of new development and redevelopment within the precinct.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

10. The study will develop strategies to encourage land use conversions to uses compatible with the development strategies while remaining sensitive to the integrity of existing community structure.
11. The study will develop strategies to provide positive tourism, recreation and economic and environmental benefits compatible with the needs of this community.
12. The study will maintain a fiscal objective to minimize the ongoing financial burden upon the citizens of Hamilton.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

STEERING COMMITTEE

Role: The Steering Committee shall coordinate and provide direction for the West Harbourfront Development Study.

Tasks

- a) Secure commitment from Technical Advisory Committee and affected public and private sector agencies to effectively participate in the study.
- b) Establish overall study time frame.
- c) Monitor and evaluate the ongoing progress and direction of the study.
- d) Advance recommendations through Parks and Recreation Committee to City Council.
- e) Act as 'front line' communicators to the public and the media.
- f) Receive information and perspectives from various stakeholders via the Technical Advisory Committee.
- g) Initiate discussions and negotiations with various levels of provincial and federal governments, public and private sector interest groups for the purposes of seeking support and participation in both the study process and the long term implementation strategies.

Composition

The total composition for the Steering Committee shall be ten members comprised of the following:

four City Councillors
three representatives from the local business community
three representatives from the Citizens of Hamilton

*** Note:** Membership of the public and business community level shall be solicited through the City Clerks advertising and interview process, as per other sub-committees of City Council.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

TECHNICAL ADVISORY COMMITTEE

Role: The Technical Advisory Committee shall act in an advisory and reporting capacity to the Steering Committee and direct the undertaking of various technical studies required to successfully complete the study mandate.

Tasks

- a) Secure commitment from the various line departments sub-committees of Council, public and private sector agencies to effectively participate in the study.
- b) Establish a detailed study time frame and monitor effectiveness of work progress.
- c) Review mandates of all departments and participating agencies to establish their role and participant level for the study.
- d) Provide avenues for the two-way flow of communication with all stakeholder and community interest groups.
- e) Evolve a public 'outreach' programme to inform and receive input from the public.
- f) Establish 'task specific' in house project teams to undertake components of the overall study and assign time targeted tasks.
- g) Determine project components to be undertaken by outside consultants and prepare specific terms of reference for these assignments.
- h) Review all Civic and Regional initiatives within the West Harbourfront Precinct to evaluate interrelationships and opportunities.
- i) Assemble interim and final reports.
- j) Prepare and present cost projections and capital budget submissions as required through the study process outlining an integrated strategy to implement the approved action steps.
- k) Facilitate public and private sector partnerships with those having interests and resources in the West Harbourfront Precinct towards the long range joint public and private sector implementation of the study action steps.

**West Harbourfront Development Study
Terms of Reference**April 7, 1993

Composition

The composition of the Technical Advisory Committee will be largely management level representatives from the major civic and Regional Departments actively participating in the study.

Project Co-ordinator	-	R.W. Chrystian
Chief Administrative Officer	-	Joe Pavelka
Local Planning	-	Victor Abraham
Law Department	-	Patrice Noé Johnson
Property Department	-	Dan Vyce
Regional Economic Development	-	Nick Catalano
Regional Special Projects	-	John van der Mark
Regional Environmental Services	-	Konrad Brenner
Treasury Department	-	Alan Ross
Culture and Recreation Department	-	Robert Sugden
Traffic Department	-	Murray Main
Public Works Department	-	Doug Lobo
Parks Division	-	Chris Firth-Eagland
Canadian National Railway	-	To be named

West Harbourfront Development Study
Terms of Reference

April 7, 1993

MAJOR STUDY TASKS

Establish Steering Committee

The City Clerks office will be required to advertise for the three positions of local business community representatives and for the three positions of citizen representatives.

The interviewing for the positions will be undertaken by the Aldermanic representatives on the Steering Committee.

Secure Commitments to Participate

Based upon the magnitude of this study and the interdependence that will evolve between tasks, it is imperative that affected agencies and civic/regional departments commit to undertaking tasks in a timely and efficient fashion.

"Buy in" to the project will be coordinated through the Steering Committee and the upper management level staff on the Technical Advisory Committee.

Finalize Scope of Study/Terms of Reference

The Terms of Reference will be reviewed by the Steering and Technical Committees to reach a consensus understanding of the overall study scope and expectations.

Review Mandate of Internal Departments

The perspectives of each affected Civic and Regional Department must be reviewed quickly. Departments will outline their areas of expertise and jurisdiction and must commit to completing assigned components of the overall project and otherwise participating in a timely fashion.

Affected "in house" Departments include the following:

City

Chief Administrative Office
City Clerks Department
Culture and Recreation Department
Fire Department
Housing Department

Law Department
Property Department
Public Works Department
Traffic Department
Treasury Department

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Region

Economic Development Department
Transportation/Environmental Services Group
Planning and Development Department
Hamilton Region Conservation Authority
Royal Botanical Gardens
Police Department
Hamilton Street Railway

Establish Liaison Representatives of Various Agencies

For the purposes of this study, the following list identifies those sub-committees of Council and public agencies/stakeholder groups who will be required to appoint a designate for ongoing liaison between their respective groups and the Technical Advisory Committee:

CAPIC, Dapcom, Urban Design Committee, LACAC, Parks and Recreation Citizens Advisory Committee, H.S.R., Hamilton Region Conservation Authority, Hamilton Harbour Commissioners, Fish and Wildlife Habitat Restoration Project, BARC, RAP, Ferguson Avenue Redevelopment Advisory Committee, Barton Street, Downtown and International Village BIA's, Hamilton Chamber of Commerce, Regional Bikeways Committee, SEAT, C.N.R., Central/Beasley PRIDE H.INT Advisory Committee, Hamilton Construction Association.

Each of these groups will be requested to prepare a position paper which outlines the agencies perceived role in the study process, focusing on the value that their group will add to the overall project. The position paper will be reviewed by the Technical Advisory Committee and related tasks assigned as determined.

Prepare Study Time Frames

It is imperative that realistic achievable time frames for the study be established early. Progress, accountability, monitoring and expectations all require time frames for measurement. The Steering and Technical Advisory Committee must evaluate the overall project scope to establish the study process "life time".

Review all Civic and Major Private Sector Initiatives Within the West Harbourfront Precinct

All civic and regional capital projects, existing planning studies and major private sector initiatives affecting the precinct must be reviewed. In this fashion, opportunities and constraints can be realized early in the study process.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Impacting initiatives include, but are not limited to the following:

- Construction of Regional Storm Water Management Facilities
- Perimeter road proposal
- Pier-4 Park development
- Remediation of Harbourfront Park
- Pedestrian and bicycle linkages under development
- Ferguson Avenue project
- GO Transit Study
- Gore Park Improvements
- Dundurn Castle Restorations
- Fish and Wildlife Habitat Restoration Project
- City Hall Redevelopment Study
- Central Area Plan
- North End Neighbourhood PRIDE

Evaluate Major Opportunities and Resources

All public land within the Precinct must be identified with jurisdictional mandates and ownership.

In addition to publicly owned properties such as all parkland, RBG lands, cemeteries and Regional properties, there are other land resources within the precinct which must be evaluated. There exists opportunities to improve the function and condition of many parcels of underutilized land owned by private interests.

In addition, other public agencies such as the Federal Department of Defence which owns the HMCS Star site adjacent to Eastwood Park, and the Canadian National Railway which owns the rail yard adjacent to Stuart Street, may play significant roles in the formulation of a West Harbourfront Development Vision.

Evaluate Comparative Studies and Developments

Numerous waterfront development planning exercises and waterfront developments have been undertaken in other cities. Relevant information from these initiatives should be evaluated as it pertains to this city's circumstances.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Identify Major 'In House' Tasks and Responsibilities

Based upon the mandate, jurisdictions and areas of expertise of the various civic and regional departments, numerous specific tasks from this study can be best addressed with "in house" staff. The Technical Advisory Committee will assign tasks and responsibilities as determined appropriate to complete the overall study.

Examples of "in house" tasks could include the design detail work for the ultimate development of Harbourfront Park, the evaluation of civic and regional infrastructures and a major transportation study of the precinct.

Identify External Consultant Tasks

Consultants with expertise in areas such as site/market analysis, sports complex/feature attraction requirements, programming and Environmental Assessments will be required.

The Technical Advisory Committee will recommend the specific tasks to be undertaken by consultants. Various departments will prepare specific Terms of Reference for the assignments such that the Steering Committee may recommend the award of Tender as required.

Establish Task Teams

Component tasks will bridge the jurisdiction of numerous civic and regional departments. To facilitate a cooperative and efficient approach to the completion of assignments, the Technical Advisory Committee will establish working teams who will be empowered to prepare coordinated multi-disciplinary resolutions to assignments.

Monitor Direction, Effectiveness and Timing

The Steering Committee and the Technical Advisory Committee must monitor on an ongoing basis the progress of the project. Adaptations to expectations, work plans and time frames can be made during the course of the study. However, in order to complete the study in a timely, fiscally responsible fashion, ongoing monitoring and reporting is imperative.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Establish Public Outreach Programme

The future of the West Harbourfront area is important to all of the members of this community. The two-way flow of information between the public and Study Team is important to its success.

The perspectives of area residents, the citizens of Hamilton and existing public committees can be incorporated into the study through an effective outreach programme.

The Technical Advisory Committee will outline and implement a strategy that will ensure effective communication with the public. This could include open house meetings, ongoing workshops, and newsletters as examples.

Receive and Evaluate Various Stakeholder Perspectives

Numerous stakeholder groups will be requested to provide "executive summaries" of their concerns, interests and visions for the development of the West Harbourfront Precinct. It is important that all of these perspectives are reviewed at the appropriate time in the study process.

Positive contributions which broaden and legitimize the content and hence the ultimate value of the study will be advanced by a variety of stakeholder groups. Providing mechanisms to review and incorporate these perspectives is imperative to the success of the project.

Evaluate Civic and Regional Infrastructure

All aspects of civic and regional infrastructure within the precinct will be reviewed. In house staff from various line departments will compile summaries of the adequacy of our existing infrastructure and propose strategies to relieve shortfalls in the context of the overall development schemes.

Prepare Civic/Regional West Harbourfront Precinct Transportation Statement

Transportation issues within the precinct must be evaluated at both the local or micro level - and in the scope of the 'broader picture' or macro level. Study issues will include public transit, rail services, local road and neighbourhood traffic patterns, review of the proposed perimeter road, signage, access points and parking.

This component task is a major undertaking within the scope of the overall study.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Review and Evaluate Related Federal and Provincial Initiatives

The Federal and Provincial governments have implemented numerous planning studies, developments and funding programmes which relate to the City of Hamilton proposed West Harbourfront Development Study. This study will benefit from a thorough review of these related issues such that their perspectives can be integrated into Hamilton's 'vision'.

Examples of related studies include:

- Great Lakes Water Quality Agreement
- Remedial Action Plan
- The Provincial Waterfront Trail Study
- The Lake Ontario Greenway Strategy (proposed)
- Royal Commission on the Future of the Toronto Waterfront
- Commission on Planning and Development Reform in Ontario
- Draft 'New Planning in Ontario'

Prepare Overall Draft Concept Plan

As components of the study are completed, staff will be positioned to prepare draft concept plans for the development of the precinct. The graphic representation of development schemes will greatly facilitate the understanding of the physical development issues of the study.

Detailed concepts for the development of Harbourfront Park can be evolved within the context of this study.

Preliminary concepts for the overall 'vision' are achievable as the study process evolves.

Staff from various line departments will participate in the preparation of concept plans under the direction of the Steering and Technical Advisory Committees.

Review Official Plan and Zoning Issues

The development strategies for the West Harbourfront Precinct which evolve through the course of the study may require amendments to the City's official plan and local land use zoning.

Review of the Official Plan and zoning matters must keep pace with the balance of the study in order that desirable amendments, if required, can be undertaken to facilitate implementation of approved land use modifications.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Prepare Long Term Development Guidelines

In addition to the guidelines which will evolve based upon the transportation and land use aspects of the study, additional guidelines must be evolved to ultimately govern the character of new development and re-development in the precinct.

As examples, guidelines concerning architectural aspects of new construction, preservation of site lines and historic elements, provision of public open space and pedestrian/bicycle linkages will be prepared.

Develop Financial Impact Statement

The financial aspects concerning this study can be divided into four basic categories including:

- Allotment of approved \$300,000.00 capital funding for the study
- Overall development strategy implementation costs
- Partnership initiatives to include funding from private sector interests and other levels of government funding
- Economic spinoffs/benefits accruing to the City as a result of development

The City of Hamilton has approved \$300,000.00 in 1993 for the undertaking of the West Harbourfront development study. These funds will be required by line departments to undertake specific 'in house' tasks. In addition, consultant services will be required to complete the overall study. The Technical Advisory Committee must review the distribution of both in house and external consultant tasks and establish levels of funding for the various agents involved in the study process.

From an overall perspective, the implementation of the development 'vision' and the shorter term development of Harbourfront Park, will require significant capital funds.

An implementation strategy outlining all associated capital and maintenance costs must be evolved as a component of the study. The cost/benefit analysis of any development scenarios will be of utmost importance to the relevance and achievable success of the study findings.

Both 'in house' and consultant services may be required to develop the global cost/benefit "picture".

The results of this study will form the imputes for accessing federal, provincial and private sector funding. Partnerships between various levels of government and the private sector must be evolved through the course of the study, in order to achieve the best possible climate for positive economic benefit.

**West Harbourfront Development Study
Terms of Reference**

April 7, 1993

Prepare Draft Plan Report

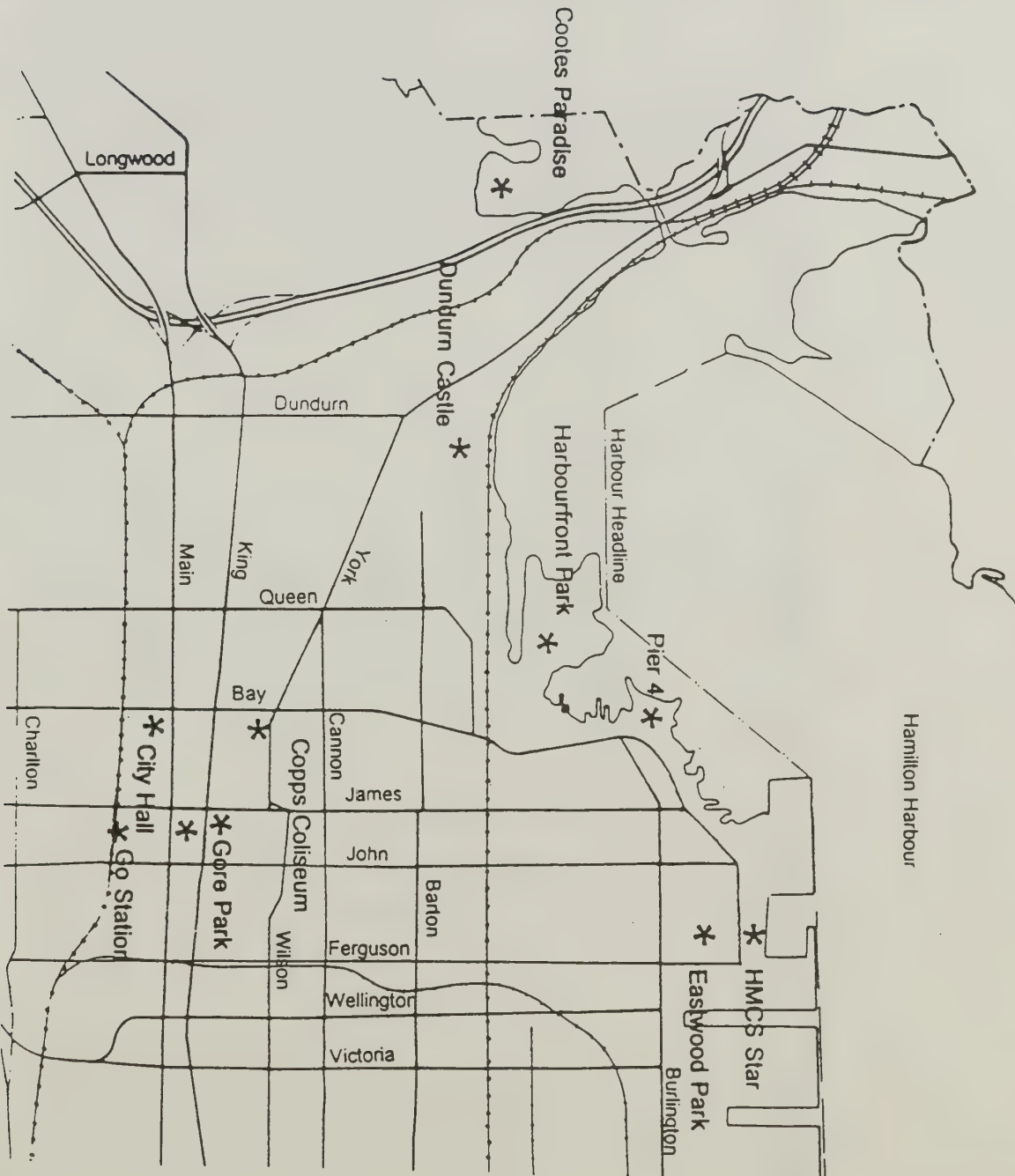
Under the direction of the Technical Advisory Committee the various Task Teams, line departments and consultants will be required to submit component summary reports. The text and conceptual plans will be amalgamated into a West Harbourfront Development Draft Report.

Circularize and Review Draft Report

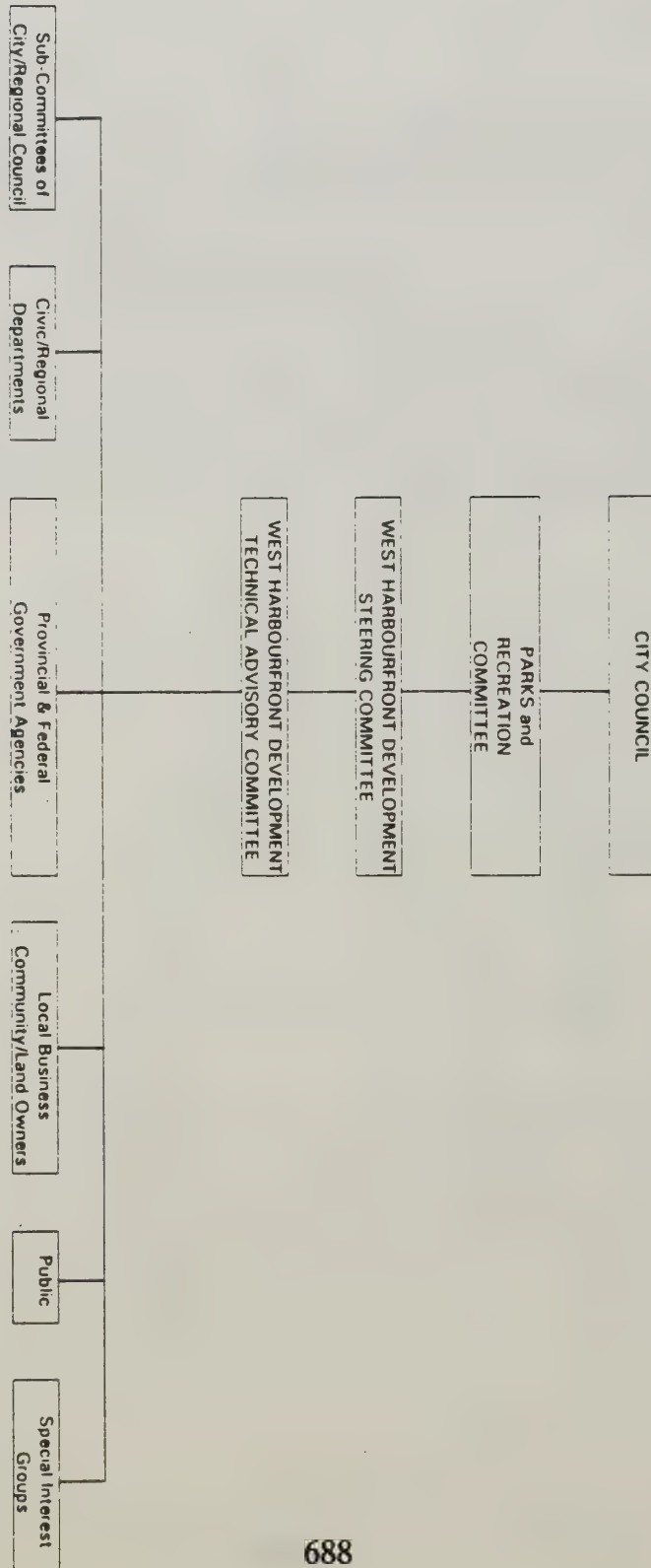
The Draft report will undergo an intense review by all affected/interested civic and regional departments as well as numerous external agencies. Based upon the comments received through the "bureaucratic" review and those comments received through the public and the standing committees of Council a final report will be prepared for the consideration of City Council.

SCHEDULE 'B'

West Harbourfront Precinct



REPORTING STRUCTURE



SCHEDULE OF WORK

MAJOR STUDY TASKS	ACTION/RESPONSIBILITY	May 1993	June 1993	July 1993	Aug 1993	Sep 1993	Oct 1993	Nov 1993	Dec 1993	Jan 1994	Feb 1994	Mar 1994	April 1994	May 1994	June 1994	July 1994	Aug 1994	Sep 1994	Oct 1994	Nov 1994	Dec 1994	Jan 1995	Feb 1995	Mar 1995	April 1995
Establish Steering Committee	City Clerk, Aldermanic, Steering Committee																								
Secure commitments to participate	Steering Committee & Technical Advisory																								
Finalize scope of study/Terms of Reference	Technical Advisory Committee																								
Review mandates & role of various departments	Technical Advisory Committee																								
Establish liaison representatives - various agencies	Technical Advisory Committee																								
Prepare study task framework	Steering Committee, Technical Advisory Committee																								
Review all City & Regional precinct initiatives	Technical Advisory Committee																								
Establish major opportunities & resources	Steering Committee, Technical Advisory Committee																								
Establish comparative studies & development	Technical Advisory Committee, Line Departments																								
Identify major 'to be done' tasks & responsibilities	Technical Advisory Committee																								
Identify major external consultant tasks	Technical Advisory Committee																								
Establish Task Teams	Technical Advisory Committee																								
Monitor direction, effectiveness, timing	Steering Committee, Technical Advisory Committee																								
Establish Public Outreach programme	Technical Advisory Committee, Public Works																								
Prepare specific Terms of Reference for consultant tasks. Tender call	Line Departments																								
Review and evaluate various stakeholder perspectives	Technical Advisory Committee																								
Evaluate City/Regional infrastructure	Technical Advisory Committee																								
Review and evaluate related federal and provincial initiatives																									
Prepare overall draft concept	Public Works																								
Prepare detailed development plan - Harbour/Pool Path	Public Works																								
Prepare city/regional precinct transportation statement	Regional Special Projects, Roads Dept., City Traffic																								
Review Official Plan and zoning laws	Planning																								
Prepare long term development guidelines	Technical Advisory Committee, Treasury Department																								
Develop financial impact statement	Technical Advisory Committee, Line Departments																								
Prepare draft report	Technical Advisory Committee, Line Departments																								
Circularize and review draft report																									
Prepare and submit final report																									

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TENTH** Report for 1993 and respectfully recommends:

1. A. That approval be given to Official Plan Amendment No. 121 to modify Policy A.2.9.3.28, (pertaining to Special Policy Area 33) to add a "notwithstanding" clause to permit a restaurant for property known as 1010 - 1024 Upper Wentworth Street, and that the City Solicitor be directed to prepare a By-law of adoption for submission to the Regional Municipality of Hamilton-Wentworth.
- B. That approval be given to amended Zoning Application 92-48, 891157 Ontario Inc. (Roy Yates), owner, requesting a further modification to the established "HH" (Restricted Community Shopping and Commercial) District regulations to permit a restaurant, on lands at 1010-1024 Upper Wentworth Street, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to the subject lands by introducing the holding symbol 'H' as a suffix to the modified Zoning District. The holding provision will prohibit development of the subject lands until the applicant has applied for and received approval for:
 - i. a Site Plan Control application; and,

- ii. all access approvals and amendments from the Regional Council, as required by the Roads Department.

Removal of the holding restriction shall be conditional upon the approval of the Site Plan Control application for the subject lands, and approval by Regional Council of all access agreements and amendments, as required by the Roads Department.

City Council may remove the 'H' symbol, and thereby give effect to the "HH" District provisions as stipulated in this By-law by the enactment of an amending By-law.

- (b) That the "HH" (Restricted Community Shopping and Commercial) District regulations as set out under Section 14A of Zoning By-law No. 6593, as amended by By-law No. 85-171, applicable to the subject lands, be further modified to include the following variances as special requirements:
 - i. Notwithstanding Section 14A(1) of By-law No. 6593, the following use shall be permitted:

a restaurant without any dancing or other entertainment except music and having a maximum gross floor area of 375 m² (4,037 square feet);
 - ii. A minimum 3.0 m (9.84 feet) wide landscape planting strip shall be provided and maintained along the southerly lot line;
 - iii. A minimum 3.0 m (9.84 feet) wide landscape planting strip shall be provided and maintained along the easterly lot line, except for access driveways;
 - iv. A minimum 6.0 m (19.68 feet) wide landscape planting strip shall be provided and maintained along the westerly lot line;
 - v. A visual barrier of not less than 1.2 m (3.93 feet) in height and not more than 2.0 m (6.56 feet) in height shall be provided and

maintained within the landscaped planting strip along the westerly lot line;

- vi. A visual barrier of not less than 1.2 m (3.93 feet) in height and not more than 2.0 m (6.56 feet) in height shall be provided and maintained along the southerly lot line; and,
 - vii. Notwithstanding Section 14A(3)(a), a second ground sign shall be permitted with a minimum front yard depth of 4.5 m (14.77 feet).
- (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-922c, and that the subject lands on Zoning District Map E-18A be notated S-922c;
 - (d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-18A for presentation to City Council; and,
 - (e) That the proposed modification in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 121 by the Regional Municipality of Hamilton-Wentworth.
2. That in regard to the development of the Hamilton GO Transit Centre at 36 Hunter Street, that the following be endorsed:
- (a) That the alternative design concept of the Hunter Street frontage as shown on Appendix "B" be approved in principle and be forwarded to the Transport and Environment Committee for consideration and direction to work with GO Transit representatives for its implementation;
 - (b) That the proposed ramp and reconstructed steps at Hughson and Haymarket Streets including a canopy as an extension of the Transit Centre roof structures form part of the development; and

(c) That updated plans included Site, Grading, Landscape and Canopy elevations be submitted for approval which should include the following:

- i. an extended vestibule area at the south entrance;
- ii. extended canopies along Hunter Street toward John and James Streets;
- iii. notation of paving treatment for pedestrian crossings; and
- iv. barrier-free access design features.

3. (a) That an Offer to Purchase from the Corporation of the City of Hamilton, duly executed by the purchaser, Giacomo Angelini, on May 11, 1993 and scheduled to close on September 17, 1993, for the lands being composed of the north half of part 1 and all of Part 5 on Plan 62R-8770, known as 1632 Upper Ottawa Street, be approved and completed. The purchase price is \$110,000. A required deposit cheque in the amount of \$11,000. is being held by the City Treasurer pending Council approval, with the proceeds to be credited to Account No. CH 4X501 00102 (Property Sales - Reserve for Property Purchases).

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

(c) That this transaction includes special building covenants, agreements and restrictions, which are set out in Appendix "C".

(d) That the purchaser, Giacomo Angelini, be granted an Authority to enter on the subject lands being the north half of Part 1 and all of Part 5 on Plan 62R-8770, known as 1632 Upper Ottawa Street, for the purpose of soil tests and preliminary site preparation."

ADDED AND CARRIED.

4. That the City Solicitor be directed to prepare an amendment to the Building Code By-law 85-86 to amend the building permit fee for the following construction:

	<u>Existing</u>	<u>Proposed</u>
Installation of air conditioning unit	\$150.	\$75.
Installation of a heat pump	\$150.	\$75.
Reshingling of roof for single family dwelling	\$150.	\$75.
Demolition of garage or shed of single family dwelling	\$150.	\$75.
Any construction where the construction cost is less than \$1000.	\$150.	\$75.

5. A. That the Mayor be authorized and directed to forward the following comments to the Region of Hamilton-Wentworth respecting the report by C.N. Watson & Associates on proposed changes to the Regional Development Charges By-law #R90-082.

(a) That the City of Hamilton support:

- i. A review of all costs related to development.
- ii. Financial policy guidelines for Deferred Payment Agreements.
- iii. Calculation of non-residential charges on a square foot basis instead of an acreage basis.
- iv. Farm exemptions.
- v. No exemptions for institutional uses other than the mandatory exemption provided by the Development Charges Act.
- vi. The continuation of the policy of providing a credit for conversion of existing space.

- B. That the City of Hamilton is opposed to the recommendation for the period to which a credit will be granted for exemptions for property where building was previously located on the lot be reduced from ten years to three years for the following reasons:
- i. The reduction in credit will unfairly penalize redevelopment in the City of Hamilton to the benefit of greenfield development in other areas.
 - ii. Reduction in the credit period from ten to three years will discourage rather than encourage redevelopment.
 - iii. It is contrary to the Region's planning strategy dealing with intensification of existing properties and does not result in optimum use of previously developed serviced lands of which the City has a surplus.
 - iv. It is in contradiction to the Region's support for sustainable development.
- C. That the City of Hamilton oppose the recommendation that infill development be required to pay the same charge as all other forms of development for the following reasons:
- i. The proposal will discourage infill development.
 - ii. The charge for infill will be the same as for greenfield development which will penalize the City of Hamilton in relation to outlying municipalities.
 - iii. Infill development needs incentives in order to encourage conversion of existing buildings and utilization of existing property which is already serviced and maintained by the City. New development may reduce serving costs while at the same time increase assessment.

The City already promotes infill development by exempting ten residential units or less from development charges and from many requirements under the Zoning By-law.

- D. That the City of Hamilton oppose the recommendation to continue the policy of uniform development charges throughout the entire region for the following reasons:
 - i. There is no equity between greenfield developments occurring in the outlying portion of the Region and the City of Hamilton.
 - ii. There are specific areas within the City which should be exempt from any development charges as there are already adequate services provided and, in fact, the total demand for services in these areas has declined.
 - iii. Due to projected population growth and anticipated demand on services, most of the City does not require the provision of any hard services or increase in pipe sizing.
 - E. That the City of Hamilton has no comment on the remaining recommendations.
6. (a) That City Council enact a by-law to amend By-law 81-160 regulating Signs over Sidewalks and Highways to provide for the following:
- i. To amend Section 8 by deleting "display sign structure" and add the words "display sign and sign structure" to coincide with definitions contained in Section 1.(d) and 1.(e) of the By-law.
 - ii. To amend Section 9 regarding penalty to comply with the requirements of the Provincial Offences Act.
- (b) That the City Solicitor be directed to prepare the appropriate by-law for Council's consideration.

7. That the Building Commissioner be authorized to issue a demolition permit for 1383 Upper James Street.
8. That a Commercial Loan in the amount of ten thousand dollars (\$10,000.) be approved for John and Helen Mouskos. The interest rate will be 3 per cent, amortized over 10 years.
9. A. That approval be given to application 25T-92008, Sheldon Estates, Britannia Decorating and Painting Limited, owner, to establish a draft plan of subdivision, on the south side of Stone Church Road, between Garth Street and West Fifth Street, subject to the following conditions:
 - (a) That this approval apply to the plan, as revised in red, prepared by A.T. McLaren Limited, drawing number 25454 dated July 7, 1992 showing 22 lots for single family dwellings, a block for future residential purposes and a block for a 0.3m reserve.
 - (b) That Lots 4 to 11 (inclusive) not be developed until the lands to the east have been registered under a plan of subdivision or a suitable storm and sanitary sewer outlet can be made available either, through the lands to the east, or alternatively, from Chesley Street, through an optional connection designed to the satisfaction of the Commissioner of Transportation/Environmental Services.
 - (c) That the Owner acquire the necessary lands to establish the road allowance along the flankage of Lot 19 and the frontage of Lots 20 to 22 (inclusive) to its full width and that these lands be incorporated into the Final Plan of Subdivision or, alternatively, transferred to the City of Hamilton so that they be opened by By-law prior to registration of the Final Plan of Subdivision.
 - (d) That the lands required for the road allowance adjacent to the flankage of Lot 17 and the frontage of Lot 18 and 19 be established to its full width prior to registration of the Final Plan of Subdivision.
 - (e) That Block 23 be developed only in conjunction with the adjacent lands to the north.

- (f) That the portion of the road allowance bulb adjacent to Lots 21 and 22 which is within the limits of the subdivision be shown on the Final Plan as a separate Block and dedicated to the City of Hamilton as a public highway.
- (g) That the Owner acquire sufficient lands on the west side of Chesley Street (1.032 metres) and sufficient lands on the east side of Chesley Street (3.00 metres) to establish the road allowance on Chesley Street at 24.032 metres for a distance of approximately 78 metres, which distance is to coincide with the side lot lines of Lots 2 and 3 on the east side and Lot 13 and Block 23 on the west side of Chesley Street.
- (h) That the Owner acquire the necessary lands to establish a 7.50m x 7.50m daylight triangle at the widened limits of Chesley Street and Stone Church Road West, on both the east and west side of Chesley Street.
- (i) That the Owner acquire sufficient lands to dedicate a 5.18m strip of land to the Region for road widening purposes on Stone Church Road West between the limits of the two daylight triangles where they intersect Stone Church Road West.
- (j) That the owner establish a 2.0m x 2.0m daylight triangle on the corner of Lot 17 at the L-shaped bend in the road.
- (k) That Chesley Street, south of Stone Church Road West, align centreline to centreline with the existing portion of Chesley Street north of Stone Church Road West.
- (l) That the Owner be required to enter into subdivision agreements with both City of Hamilton and the Region prior to the development of any portion of these lands.
- (m) That the Owner pay the full cost of municipal services on both sides of the roadway, less any oversizing, for above ground and below ground works installed on Chesley Street from Stone Church Road southerly, to the south limit of "Sheldon Estates" subdivision.

- (n) That the final plan not be approved until such time as municipal sewers, water and adequate road access are available to service the lands.
- (o) That the streets be dedicated as public highways on the final plan to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (p) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
- (q) That the final plan conform with the Zoning By-law approved under the Planning Act.
- (r) That such easements as may be provided for utility or drainage purposes be granted to the appropriate authority.
- (s) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the total area in the final plan.
- (t) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
- (u) That any dead-ends or open sides of the road allowances created by the final plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and held by the City until required for future extension of the road allowances.
- (v) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton.
- (w) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

- B. That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-92008), Britannia Decorating and Painting Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council; and
 - C. That the Regional Commissioner of Planning and Development be advised of Council's decision.
10. (a) That the appropriate by-law to remove part-lot control from the lots in the Edan Heights, Phase 3 plan of subdivision, 62M-730, be enacted by Council.
- (b) That following enactment of this by-law, the Regional Municipality of Hamilton-Wentworth (as delegate of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse same on the by-law.
11. (a) That approval be given to the proposed renaming of Gondola Street to Duncairn Crescent;
- (b) That authorization be given to hold a Public Meeting regarding the proposed name change;
- (c) That the City Solicitor be directed to prepare a by-law regarding the proposed name change.
12. A. That Item 33.A. of the Fifteenth Report of the Planning and Development Department to City Council on 1992 August 25, respecting Zoning Application ZA-92-26 by Jung Y. Mah, for lands at 674 Upper James Street be amended as follows:
- (a) amend Item 33.A.(b)(vi) by adding the following statement to the end of the sentence: - "except for the southerly 4.0 m."

- (b) add the following new clause as Item 33.A.(b)(x):

"Notwithstanding Section 18A(1)(f) of Zoning By-law No. 6593, the manoeuvring space/aisle width for the parallel parking spaces shall be 3.00 m minimum instead of the required 3.7 m."

13. That leave be granted to introduce the following Bills:

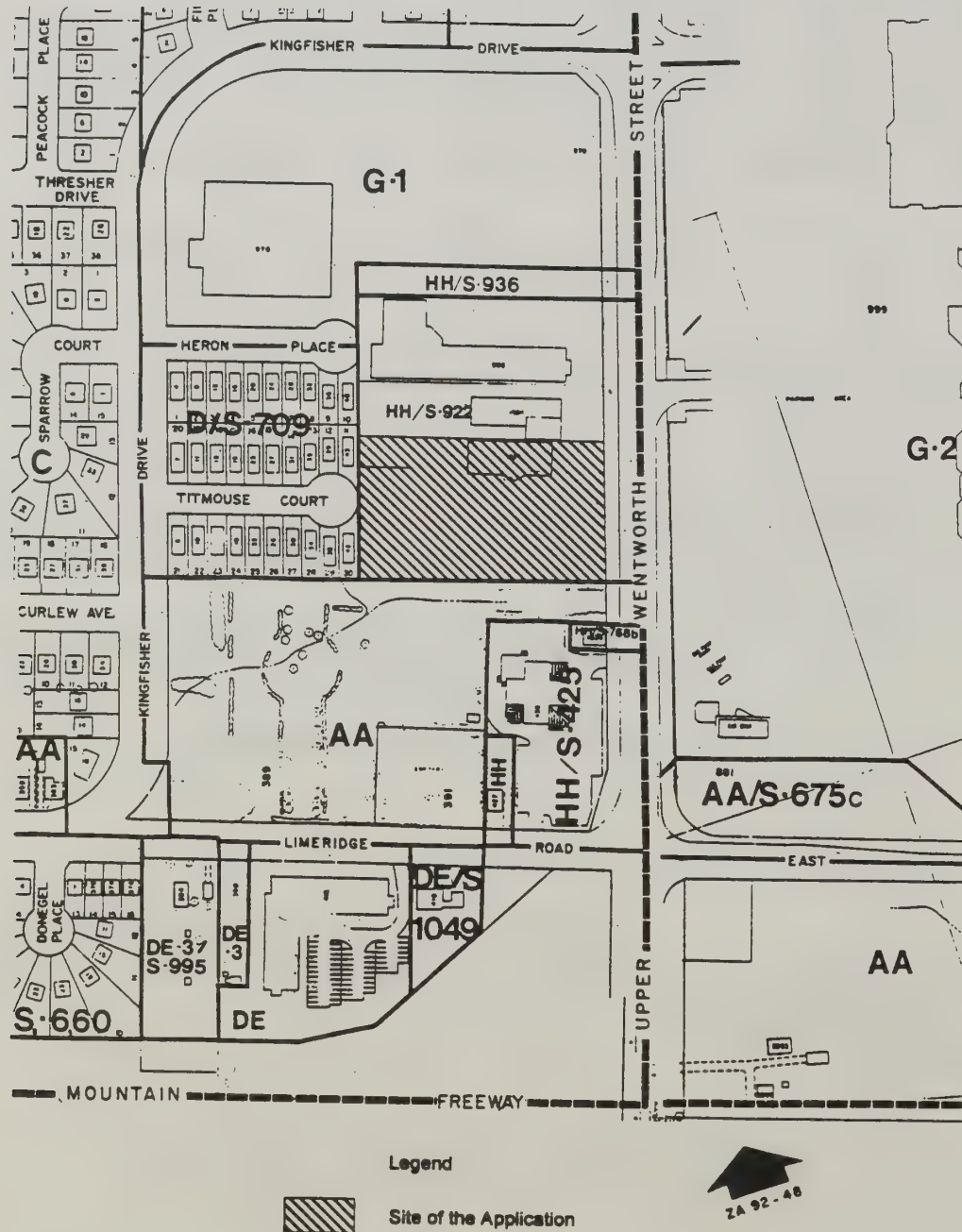
- (a) C-42 By-law to Amend By-law No. 81-160 respecting signs over sidewalks and highways
- (b) C-44 By-law to Amend Zoning By-law No. 6593 respecting land located at Municipal No. 146 Mount Albion Road
- (c) C-45 By-law to Amend By-law No. 80-245 respecting land drainage
- (d) C-46 By-law to designate land located at Municipal No. 90 Stinson Street as property of Historic and Architectural value and interest
- (e) C-47 By-law to remove land within the Edan Heights, Phase 3 Subdivision, Plan 62M-730 from Part Lot Control.

RESPECTFULLY SUBMITTED,

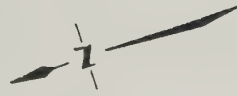
ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1993 May 19

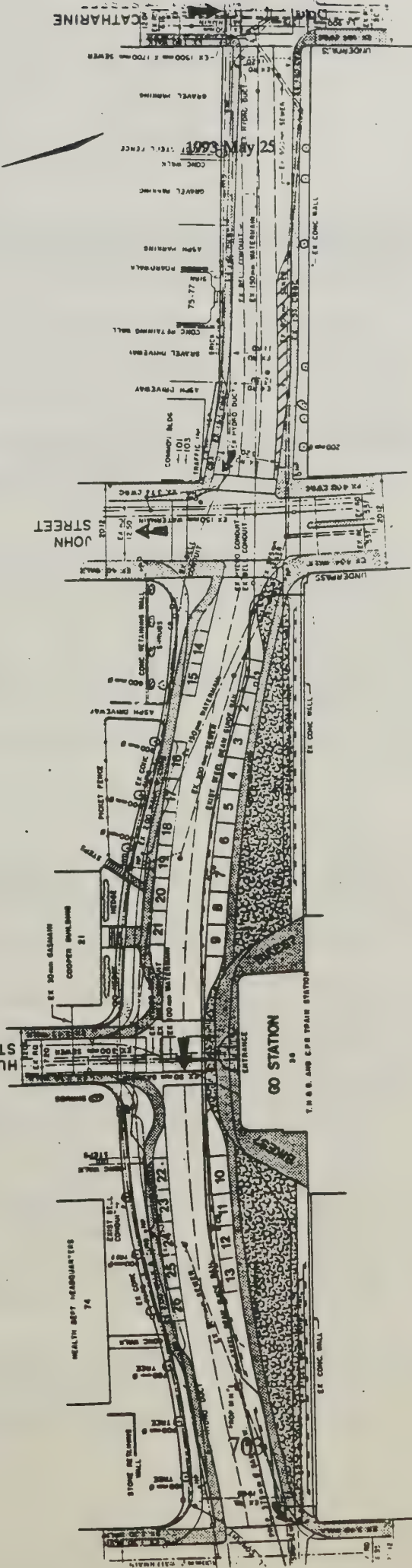
Appendix "A" as referred to in Section 1B of the TENTH Report of the Planning and Development Committee for 1993



HUNTER STREET



HUGHSON STREET



Appendix "B" as referred to in Section 2 of the TENTH Report of the Planning and Development Committee for 1993

1993 May 25

Appendix "C" as referred to
in Section 3 of the TENTH
Report of the Planning and
Development Committee for
1993 **ADDED AND CARRIED.**

6 1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:

- (a) to pay municipal, realty and business taxes;
- (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
- (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
- (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
- (e) to pay building permit application fee;
- (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
- (g) to pay for the connection of all utilities to the premises;
- (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
- (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
- (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.

6 2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.

6 3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:

1. That the transferee shall commence construction of a building, having a minimum building area of 10,000 square feet, upon the hereinbefore described land by not later than January 27, 1994.

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

2. That the transferee shall complete construction of the said building by not later than January 27, 1995.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

3. That no transfer of the hereinbefore described land shall be made by the transferee until The Corporation of the City of Hamilton confirms that covenants 1 and 2 have been complied with.

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.

6 4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

6 5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWELFTH** Report for 1993 and respectfully recommends:

1. (a) That the Council of the Corporation of the City of Hamilton extend a formal invitation to the Federation of Canadian Municipalities to hold its 2002 Annual Conference in the City of Hamilton; and,

 (b) That, subject to FCM acceptance of this invitation, the Treasurer be authorized and directed to set aside funding equivalent to a maximum of \$175,000. in 1993 dollars in the Reserve for Contingency Account, Centre 00115.
2. (a) That a policy be established where the budget for a capital project include a subsidy, donation, cost sharing or an allocation of funding from an outside source, the project will proceed only upon receipt of a definite commitment to that external funding to the satisfaction of City Council; and,

 (b) That the City Treasurer be directed to apply any unbudgeted grant or other funding received from an external source, for projects previously approved by City Council, towards the financing of those projects and reduce the authorized financing from reserves or debentures accordingly, and further that these unbudgeted receipts not be used to increase the gross cost of the project; and,

 (c) That any exception to (a) and (b) noted above be forwarded to the Capital Budget Sub-Committee and Management Team for review and recommendation for consideration by the Finance and Administration Committee.

3.
 - (a) That the Treasurer be authorized to negotiate an extension of all existing insurance policies due for renewal to 1994 January 1; and,
 - (b) That a specification for insurance coverage be issued to the following insurance brokers to obtain quotations on behalf of the City of Hamilton:
 - (i) Dalton Insurance Brokers Limited
75 Hunter Street West
Hamilton, Ontario
L8N 3S4
 - (ii) Johnson & Higgins Ltd.
40 King Street West
Toronto, Ontario
M5H 3Y2
 - (iii) Alexander & Alexander
Reed Stenhouse
20 Bay Street
Toronto, Ontario
M5J 2N9
4. That the Treasurer and the Commissioner of Human Resources be authorized to accept applications from eligible employees who wish to purchase season's tickets to the Hamilton Tiger-Cat Football Club, on a payroll deduction basis, provided:
 - (a) Repayment by the employee will be in equal instalments to be fully paid no later than the end of the applicable season; and,
 - (b) Any administrative costs associated with this project will be recovered by the City by mutual agreement between the Treasurer and the Hamilton Tiger-Cat Football Club; and,
 - (c) Promotional material with respect to this offer may be forwarded to employees with their pay cheques/stubs on a timely basis.

5. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 May 12, attached herewith and marked Appendix "A", be approved.
6. That approval be given for the exhibition of two pieces of sculpture, on loan from the Art Gallery of Hamilton, to be located in the lobbies of City Hall for a period of six months as follows:
 - (a) "Timewise", second floor lobby, west side; and,
 - (b) "Two Seated Figures", first floor lobby under stair bridge.
7.
 - (a) That, as the 1993 Annual Conference of the Association of Municipalities of Ontario is being held in Hamilton on 1993 August 22 - 24, all members of City Council be authorized to attend; and,
 - (b) That in keeping with past practice, the appointment of the City's seven (7) voting delegates be determined by lot if required.
8.
 - (a) That approval be given to the Public Works Department, Parks Division, to display photographic materials and drawings on the development of Hamilton's Harbour: Pier 4 Park and Harbourfront Park in the first floor foyer from 1993 June 14 - 30; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity.

9. That the Liquor Licence Board of Ontario be advised that the City of Hamilton recognizes the Municipal significance of a Community Festival being sponsored by the Beach Strip/Woodward Community Council at Lakeland Pool on Van Wagner's Beach on 1993 June 25th, 26th and 27th, and as such has no objection to the issuance of a Special Occasion Permit for this Festival.
10. That the Liquor Licence Board of Ontario be advised that the City of Hamilton deems the Earthsong Festival being held at Princess Point in Hamilton on 1993 July 1 - 4, to be an event of Municipal significance, and as such has no objection to the issuance of a Special Occasion Permit for this Festival.
11.
 - (a) That the City Clerk be delegated the authority to determine and advise the Liquor Licence Board of Ontario of the municipal significance of any festivals or community events proposed by any non-profit/charitable organizations proposing to hold events in the City of Hamilton requiring Special Occasion Permits; and,
 - (b) That the City Clerk advise members of City Council of approvals and/or denials that have been given pursuant to the above-noted resolution.
12. That the following resolution from the City of Ottawa respecting opposition to any cuts as proposed by the Provincial Government to the City of Ottawa, be received:

"WHEREAS the Provincial NDP Government has begun consultations with its respective funding recipients and looking into severe cut-backs, especially at the Municipal level; and,

WHEREAS they could impact the City of Ottawa by as much as \$7 million dollars; and,

WHEREAS these cuts will be retroactive to the beginning of 1993; and,

WHEREAS the Corporation of the City of Ottawa has bargained in good faith with its unionized employees and has arrived at binding collective agreements with three of the five unions; and,

WHEREAS these cuts would adversely affect our ability as a Corporation to deliver services we are committed to provide to our taxpaying public; and,

WHEREAS at this point these proposed cuts are purely arbitrary;

BE IT RESOLVED that City Council condemn any cuts as proposed by the Provincial Government to the City of Ottawa;

AND BE IT RESOLVED that we send this resolution to other Municipalities throughout the Province of Ontario (over 150,000 in population) who are equally affected by these draconian measures, and to the Association of Municipalities of Ontario."

13. That the following resolution from the Town of Ancaster respecting opposition to the Provincial Government's Fiscal Policies within the context of a Social Contract and the Expenditure Control Plan, be received:

"WHEREAS the Town of Ancaster has, over the past number of years, taken initiatives for control and restraint of the Town's finances; and,

WHEREAS the Town has, through its 1993 Budget process, attempted to deal logically with supplying the citizens with needed capital projects; and,

WHEREAS the Provincial Government had taken a position of holding grants to a minimum in an effort to control the rising Provincial deficit; and,

WHEREAS the Provincial Government's Fiscal Plan to fight the deficit is a unilateral action which downloads the deficit onto Municipalities, and subsequently the property owner; and,

WHEREAS increasing the Municipal Property Tax is the most inappropriate means of fighting the Provincial deficit.

THEREFORE, BE IT RESOLVED:

THAT the Council of the Corporation of the Town of Ancaster strongly rejects the Provincial Government's Fiscal Policies within the context of a so-called Social Contract and the Expenditure Control Plan."

14. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 14232/89 on the following terms:
 - (a) That the City pay to the Plaintiff, Michael McNamara, the sum of \$2,000. inclusive of all damages, interest, disbursements and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiff dismiss Ontario Court (General Division) Action No. 14232/89 as against the Corporation of the City of Hamilton without costs.
15. That the City of Hamilton accept the Plaintiff's offer to settle Ontario Court (General Division) Action No. 15219/89 on the following terms:
 - (a) That the City pay to the Plaintiff Alexander McMaster, the sum of \$500. inclusive of all damages, interest, and costs; and,
 - (b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Action No. 15219/89 be dismissed as against the Corporation of the City of Hamilton without costs.
16. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 9943/90 on the following terms:
- (a) That the City pay to the Plaintiffs, Richard Tyo, Celina Tyo and Serina Tyo, the sum of \$4,000. inclusive of damages and interest; and,
 - (b) That the City pay to the Plaintiffs fifty percent of their disbursements and costs of this action to be agreed or assessed; and,
 - (c) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (d) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 9943/90 as against the Corporation of the City of Hamilton without costs.
17. That the City of Hamilton Offer to Settle in Ontario Court (General Division) Action No. 23758/90 on the following terms:
- (a) That the City offer to pay the Plaintiff Suzanna Campbell the amount of \$2,500. inclusive of all damages, disbursements, interest and costs; and,
 - (b) That the Plaintiff Suzanna Campbell be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiff dismiss Ontario Court (General Division) Action No. 23758/90, as against the Corporation of the City of Hamilton without costs.
18. (a) That the assessments of taxable benefits for employees who are on call and take home a City vehicle (truck, van, service vehicle, or car) at the request of and/or for the benefit of the City, for the years 1990, 1991 and 1992, where applicable, be paid by the City; and,

- (b) That the estimated total cost of \$75,000. for such assessments as determined by Revenue Canada for each individual involved, be financed from the Reserve for Contingency, Centre 00115; and,
 - (c) That future taxable benefits resulting from taking a vehicle home from 1993 onward be assessable to the individual employee involved.
19. That Section 20 of the Eleventh Report for 1993 of the Finance and Administration Committee, approved by City Council at its meeting held 1993 May 11th, respecting the appointments of three members of City Council to conduct a Hearing on an issue respecting the City's Adult Video By-law No. 93-045, be amended by deleting the name "Alderman F. Eisenberger" and inserting in lieu thereof the name "Mayor R. M. Morrow". **AMENDED AND CARRIED.**
20. That leave be granted to introduce the following Bills:
- (a) Bill H-40 A By-law to authorize an amendment to the Renovation and Retrofit of the Huntington Park Recreation Centre.
 - (b) Bill H-41 A By-law to amend Schedules 4 and 4a of By-law 79-323 respecting Taxi-Cabs, Livery Vehicles and School Transportation.
 - (c) Bill H-42 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
21. That the City's share of "Highridge South - Phase 1" Servicing, as referred to in Section 1 of the SEVENTH Report for 1993 of the Transport and Environment Committee, at a cost of \$229,738.07, be financed from Centre No. CH 00107 - "Reserve for Services through Unsubdivided Lands. **ADDED AND CARRIED.**

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Susan K. Reeder, Secretary
1993 May 20

Appendix "A" referred
to in Section 5 of the
TWELFTH Report of the
Finance and Administration
Committee for 1993.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. John Cowles	I	Forester II (D-8)	Public Works	Replacing Mr. W. Longley - promoted March 08/92 - D. Couch promoted New Position Council Approved January 28/92	\$37,510.72	March 08/93
Mr. Robert Daiber	E	Probationary Firefighter (N1B)	Fire	Replacing Mr. N. McFadyen - retired Sept. 30/92	\$34,234.08	April 13/93
Ms. Carolyn Edwards	I	Typist Clerk II (7-C)	Treasury	Replacing Ms. P. D'Ariano - promoted, Nov. 16/92 New Position, Council Approved Jan. 14/92	\$25,179.44 to \$27,303.64	April 19/93
Mr. Joseph Gattozzi	I	Motor Mechanic I (T-2)	Fleet Services	Restructuring - Council Approved August 27/91	\$44,784.48	April 05/93
Mr. John P. Glass	I	Captain (C-8)	Fire	Replacing Mr. D. Clark promoted Feb. 14/93 start out as probationary firefighter & advance	\$61,750.44	April 11/93

Prepared May 12/93

Status
Internal - I
External - E

1993 May 25

1993 May 25

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>EMPLOYEE STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Majnusz	E	Probationary Firefighter (NIB)	Fire	Replacing Mr. G. Sabados - deceased Nov. 8/92	\$34,234.08	April 13/93
Mr. Paul Marson	I	Captain (C-8)	Fire	Replacing Mr. G. Desjarlais - promoted Feb. 14/93 start out as probationary firefighter & advance	\$61,750.44	April 11/93
Mr. John McCarthy	E	Probationary Firefighter (NIB)	Fire	As the result of a firefighter promotion - M. Hanson retired November 30/92	\$34,234.08	April 13/93
Mr. C. Paul Meredith	I	Captain (C-8)	Fire	Replacing Mr. M. Hanson - retired Nov. 30/92	\$61,750.44	April 11/93

Prepared May 12/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	EMPLOYEE STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Stephen Miller	E	Probationary Firefighter (NIB)	Fire	Replacing Mr. D. Wishart - retired Nov. 28/92	\$34,234.08	April 13/93
Mr. Darrell Stase	E	Probationary Firefighter (NIB)	Fire	Replacing Mr. J. Bridle - retired Nov. 28/92	\$34,234.08	April 13/93
Mr. Ed Switensky	I	Supervisor of Traffic Studies (L)	Traffic	Reclassified to non union position - Council Approved February 23/93	\$43,484.48 to \$51,205.44	April 12/93
Mr. Sydney Tisao	I	Traffic Serviceman/ Woman I (11-E)	Traffic	Replacing Mr. S. Clarke - promoted Feb. 15/93 - D. DiMascio terminated November 11/92	\$29,714.88 to \$32,754.28	March 22/93
Mr. Chris VanBertel	I	Traffic Legislative Co-ordinator (M)	Traffic	Reclassified to non union position - Council Approved February 23/93	\$40,640.60 to \$47,819.20	April 12/93

Prepared May 12/93

Status

Internal - I

External - E

1993 May 25

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Mario D'Amico	Concrete Finisher	Public Works	Terminated	8 years	April 25/93
Mr. Tim DiMascio	Labourer	Parking Authority	Terminated	1 year, 11 months	March 11/93
Ms. Mary Hudon-Stroud	Typist Clerk Dispatcher	Public Works	Resigned	2 years, 11 months	March 19/93

Prepared May 12/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

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notes of Hamilton City Council
1993 June 29th
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson, Agostino,
Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Absent: Alderman Cooke - vacation
Alderman Eisenberger - vacation

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

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Father A. J. Smith, St. Patrick's Roman Catholic Church led Council in Prayer.

* * * * *

The "Distinguished Budget Presentation Award" was made to the City of Hamilton by Mayor Morrow on behalf of the Government Finance Officers Association of the United States and Canada. Nik Adhya, Manager of Budgets, Kevin Beattie, Budget Officer and Colin Kerr, Budget Analyst all of the Treasury Department were called forward to accept the Award.

* * * * *

Mayor Morrow presented a Certificate of Recognition to Christine McFarlane, President of Regal Cruises and Travel for receiving the 1993 National Cruise Vacation Month Grand Prize.

* * * * *

1993 June 29

Mayor Morrow called upon Alderman D. Agostino, Chairperson, Hamilton Farmers' Market Sub-Committee to accept a Certificate of Recognition on behalf of Bud Hubbard for serving as a representative of the Stallholder's Association on the Hamilton Farmer's Market Sub-Committee for over 10 years.

* * * * *

Mayor Morrow called upon Alderman D. Drury, Chairperson, Taxi Advisory Committee to present the Robert Van Kleef Taxi Industry Professional Awards Trophy and Certificates of Recognition to the following three 1992 Award winners in the categories indicated below:

Executive/Administrator/Contribution of the Year
Florence (Bonnie) Urban

Dispatcher/Call Taker of the Year
Bill Robertson

Cab Driver of the Year
Elizabeth Bertrand

* * * * *

Mayor Morrow presented a City of Hamilton flag to Burke Austin, President; Zea Matwiyiw, Vice President and Bob Moore, Fundraising Chair, Beach Strip Woodward Community Association on the occasion of the reopening of Van Wagners Beach Swimming Pool.

* * * * *

The minutes of the Regular meeting of 1993 May 25 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Application dated 1993 May 20 from 304 Victoria Avenue North Holdings Ltd., Hamilton, Ontario for a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 304 Victoria Avenue North, Hamilton, Ontario.

Recommendation: Received.

2. Application dated 1993 May 31 from Dr. Steve Marcogliese, Hamilton, Ontario for a modification to the established "C" (Urban Protected Residential, etc.) District regulations for property at No. 792 Upper Gage Avenue, Hamilton, Ontario.

Recommendation: Received.

3. Application dated 1993 June 8 from Mr. and Mrs. Mike Trikas, Hamilton, Ontario for a change in zoning from "C" (Urban Protected Residential, etc.) District, modified to "G-4" (Designed Neighbourhood Shopping Area) modified for property located at Nos. 952-954 Concession Street, Hamilton, Ontario.

Recommendation: Received.

4. Application dated 1993 June 10 from Antonietta Mastroianni, Frank Mastroianni, Olimpia Cavoto, Diodoro Cavoto for a change in zoning from "AA" (Agricultural) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located at the rear of No. 1462 Upper Sherman Avenue, Hamilton, Ontario.

Recommendation: Received.

5. Application dated 1993 June 15 from Christian Home Association of Mount Hamilton for a change in zoning from "AA" (Agricultural) District to "DE-3" (Multiple Dwellings) District modified for lands located at part of No. 1411 Upper Wellington Street, Hamilton, Ontario.

Recommendation: Received.

6. Application dated 1993 June 23 from Don Newman c/o Newman Developments, Oakville, Ontario for a change in zoning from "H" (Community Shopping and Commercial, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified for property located at No. 145 MacNab Street North, Hamilton, Ontario.

Recommendation: Received.

7. Petition dated May, 1993 from Huntington Park School Staff re: Blue Moon Video, Upper Gage Avenue.

Recommendation: Received.

8. Letter dated 1993 June 17 from Nick DeFilippis requesting reconsideration of Section 10 of the Ninth Report of the Planning and Development Committee for 1993 with respect to the rezoning of 29 Severn Street, Hamilton which was adopted by City Council 1993 May 11.

Recommendation: Received.

9. Letter from the Council of Hamilton Business Improvement Areas dated 1993 June 28th, requesting a meeting to discuss the recommendation of the Planning and Development Committee to defer the expenditure of \$458,000 from the Commercial Improvement Programme as outlined in Section 8 of the Eleventh Report of the Planning and Development Committee.

Recommendation: Referred to the Planning and Development Comm.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole be now considered in Committee of the Whole with Alderman Ross in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - EIGHTH REPORT
--

Section 58 Re: 912613 Ontario Ltd. - Certificate of Approval to Operate a Waste Disposal Site

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro acted in the capacity of insurance advisor for some of the principles of the Corporation.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

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Section 65 Re: Offer to Purchase (Highway Closure) - Beckley Street - Toronto Area Transit Operating Authority

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting. Alderman Jackson owns and operates a business in this area.

PARKS AND RECREATION COMMITTEE - ELEVENTH REPORT

Section 1 Re: Sell food and alcoholic beverages - Annual Picnic - Hamilton Rotary Club - Pier 4 Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 2 Re: Sell alcoholic beverages - Hamilton Wentworth Adult Slo-Pitch - Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1. **CARRIED.**

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Section 3 Re: Sell beer - Hamilton-Wentworth Police Association - Baseball Tournament -Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 4 Re: Sell beer - Montgomery Park Neighbourhood Committee - Montgomery Park.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 10 Re: Lawn Bowling Clubs - 1994 Transfer of daily maintenance services to a volunteer base

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

PARKS AND RECREATION COMMITTEE - TWELFTH REPORT

PLANNING AND DEVELOPMENT COMMITTEE - ELEVENTH REPORT

Section 4 Re: City Initiative 93-A Re: General text amendment respecting townhouses in Multiple Dwelling Districts

It was moved by Alderman Drury and seconded by Alderman Merling that Sections 4 and 20(e) of the **ELEVENTH** Report of the Planning and Development Committee to Council regarding City Initiative 93-A and Bill C-52 for a general text amendment respecting townhouses in Multiple Dwelling Districts be referred back to the Planning and Development Committee.

Recorded vote on referral.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Merling, D'Amico, Ross. -10.

NAYS: Aldermen McCulloch, Wilson, Charters, Jackson, Anderson. -5.
CARRIED.

* * * * *

Section 8 Re: Commercial Improvement Program - deferral of the expenditure.

It was moved by Alderman Kiss and seconded by Alderman McCulloch that Section 8 of the **ELEVENTH** Report of the Planning and Development Committee to Council respecting deferral of a \$458,000 expenditure from the Commercial Improvement Program be referred back to the Planning and Development Committee. **CARRIED.**

LICENSING COMMITTEE - SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - THIRTEENTH REPORT

Section 5 Re: Commonwealth Square - Proposal of Hamilton Art Gallery for Sculpture Court

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 5 of the Thirteenth Report of the Finance and Administration Committee for 1993 and Section 1 of the Sixth Report of the Committee of the Whole for 1993 be referred to the Committee of the Whole and be considered when the Management Team reports on the budgeting report of the Social Contract talks with the Province.

Recorded vote on referral.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4.

CARRIED.

* * * * *

Section 26 (a) Re: Hamilton Farmers Market - Operation of Air Conditioning units

It was moved by Alderman Agostino and seconded by Alderman Jackson that Sub-section (a) of Section 26 of the Thirteenth Report for 1993 of the Finance and Administration Committee be amended to delete the words "on a 24 hour basis, 7 days a week for the rest of the summer", and insert in lieu thereof "as required".

CARRIED.

* * * * *

Section 27 Re: Public Halls - Hours of operation for provincially licenced Monticarlo Lottery.

It was moved by Alderman Anderson and seconded by Alderman Wilson that Section 27 of the Thirteenth Report of the Finance and Administration Committee be referred back.
CARRIED.

* * * * *

Section 40 Re: Indemnification of Mayor for legal fees - complaint with the Human Rights Commission

Mayor Morrow declared personal interest in, took no part in the debate and refrained from voting on this matter. Mayor Morrow is personally affected by this action.

Alderman Agro declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Agro provided employee benefits consultation to the law firm retained by Mayor Morrow.

Recorded vote Section 40 (c).

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Alderman Copps. -1. **CARRIED.**

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Section 41 Re: Indemnification of Alderman Jackson for Legal Fees.

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter. Alderman Jackson is personally affected by this action.

NOMINATING COMMITTEE - SECOND REPORT

COMMITTEE OF THE WHOLE - SIXTH REPORT

Section 1 Re: Commonwealth Square - Proposal of Hamilton Art Gallery for Sculpture Court

It was moved by Alderman Drury and seconded by Alderman Morelli that Section 5 of the Thirteenth Report of the Finance and Administration Committee for 1993 and Section 1 of the Sixth Report of the Committee of the Whole for 1993 be referred to the Committee of the Whole and be considered when the Management Team reports on the budgeting report of the Social Contract talks with the Province.

Recorded vote on referral.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4.

CARRIED.

ACTING MAYOR

It was moved by Alderman Kiss and seconded by Alderman Copps that Alderman D. Agostino be appointed Acting Mayor for the month of July, 1993. **CARRIED.**

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It was moved by Alderman Kiss and seconded by Alderman Copps that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills be now read a first time:

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.

C-48, C-49, C-50, C-51, C-53, C-54, C-55.

H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -12.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Copps that Council move into Committee of the Whole to consider the following Bills, with Alderman Ross in the chair. (second reading).

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
C-48, C-49, C-50, C-51, C-53, C-54, C-55.
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Kiss seconded by Alderman Copps that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
C-48, C-49, C-50, C-51, C-53, C-54, C-55.
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

1993 June 29

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It was moved by Alderman Kiss and seconded by Alderman Copps that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-42, A-43, A-44, A-45, A-46, A-47, A-48, A-49, A-50, A-51, A-52, A-53, A-54.
C-48, C-49, C-50, C-51, C-53, C-54, C-55.
H-43, H-44, H-45, H-46, H-47.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Anderson, D'Amico, Ross. -14.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J.J. Schatz
City Clerk

1993 June 29

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. (a) That the existing by-law entry allowing for the implementation of an "Alternate Side Parking" regulation on West 1st Street between McElroy Road West and Wembley Road be rescinded; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
2. (a) That the by-law entry allowing for the implementation of a "Permit Parking" regulation on the west side of Erin Avenue which commences at a point 45 feet south of Montrose Avenue and extends to a point 34 feet southerly therefrom be rescinded; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
3. (a) That the existing "Alternate Side Parking" regulation on Douglas Street between Shaw Street and Burton Street be replaced with a "No Parking" regulation on the west side and a "Permit Parking" regulation on the east side of the street; and
(b) That the Director of Traffic Services be authorized to issue one parking permit to each of the first six applicants residing in the block, and any additional permits (to a maximum of six) on a first come first served basis; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
4. (a) That a "Three Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the east side of East 42nd Street between Ninth Avenue and Tenth Avenue; and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 5. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the north side of Beaverton Drive between Upper Sherman Avenue and Acadia Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 6. (a) That the existing 137 foot "No Parking" regulation on the north side of Glen Forest Drive, east of Glen Castle Drive be extended, such that the regulation commences at Glen Castle Drive and extends to a point 172 feet easterly therefrom; and
(b) That the existing "Alternate Side Parking" regulation on the south side of Glen Forest Drive be shortened, such that the regulation commences 190 feet east side of Glen Castle Drive and extends to Kingswood Drive; and
(c) That the City Traffic By-law No. 89-72 be amended accordingly.
- 7. (a) That a "One Hour Parking Time Limit, 8:00 a.m to 6:00 p.m., seven days a week" regulation be implemented on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 8. (a) That, in conjunction with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on both sides of West 1st Street between Monarch Road and Wembley Road; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 9. (a) That a "Permit Parking" regulation be implemented on the west side of West 3rd Street between Monarch Road and Wembley Road; and

- (b) That the Director of Traffic Services be authorized to issue a maximum of 14 parking permits in accordance with the requirements for permits indicated on the petition.
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
10. (a) That a "Two Hour Parking Time Limit, 9:00 a.m. to 4:00 p.m. Monday to Friday" regulation be implemented on the east side of Laurier Drive between Delmar Drive and South Bend Road West; and
- (b) That the City Traffic Department By-law No. 89-72 be amended accordingly.
11. (a) That a "Two Hour Parking Time Limit, 24 hours a day, seven days a week" regulation be implemented on the west side of Ray Street North between Peter Street and Napier Street; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
12. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Robert Street commencing at Cathcart Street and extending to a point 137 feet easterly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That a "No Parking" regulation be implemented on the south side of Albright Road commencing at a point 130 feet east of Mt. Albion Road and extending to a point 90 feet easterly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
14. (a) That a "Permit Parking" regulation be implemented on the north side of Ferrie Street East commencing at a point 224 feet west of Ferguson Avenue North and extending to a point 23 feet westerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Samuel Cipolla, 159 Ferrie Street East; and

- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
15. (a) That a "Permit Parking" regulation be implemented on the west side of Garfield Avenue North commencing at a point 46 feet south of the north end and extending to a point 21 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Vittorio Borreggine, 35 Garfield Avenue North; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
16. (a) That the existing "Permit Parking" regulation on the west side of San Remo Drive which commences 98 feet south of San Francisco Avenue and extends to a point 20 feet southerly therefrom, be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
17. (a) That a "Permit Parking" regulation be implemented on the west side of Lyndhurst Street commencing at a point 51 feet north of the south end of the sidewalk and extending to a point 23 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Day, No: 5 Lyndhurst Street; and
- (c) That the City Traffic By-law No. 89-72 be amended accordingly.
18. (a) That the existing "Permit Parking" regulation on the east side of Grant Avenue commencing at a point 99 feet south of Delaware Avenue and extending to a point 22 feet easterly therefrom be removed; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
19. (a) That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the south side of Market Street commencing at Queen Street North and extending to a point 93 feet westerly therefrom; and
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

20. (a) That the existing "No Stopping" regulation on the south side of Harrison Avenue commencing at Harmony Avenue and extending to a point 59 feet easterly therefrom, be removed; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
21. (a) That the direction of stop control at the intersection of Leland Street and Ward Avenue be switched, such that northbound and southbound traffic on Leland Street would be required to stop for eastbound and westbound traffic on Ward Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
22. (a) That northbound traffic on Stanlow Crescent be required to stop for eastbound and westbound traffic on Cranbrook Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
23. (a) That three-way stop control be implemented at the intersection of Donn Avenue and Highridge Avenue; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
24. (a) That westbound traffic on Golfcrest Road be required to stop for northbound and southbound traffic on Glen Forest Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
25. (a) That northbound traffic on Blackthorne Avenue be required to stop for eastbound and westbound traffic on Fieldway Drive; and
(b) That the City Traffic By-law No. 89-72 be amended accordingly.
26. (a) That westbound traffic on Essling Avenue be required to stop for northbound and southbound traffic on Bridgade Drive; and

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 27. (a) That a "No Stopping" regulation be implemented on the south side of Lawnhurst Drive commencing at Lawnview Drive and extending to a point 120 feet easterly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 28. (a) That a "No Stopping" regulation be implemented on the west side of Essling Avenue commencing at Borodino Court and extending to a point 127 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 29. (a) That northbound traffic on Fiona Crescent be required to stop eastbound and westbound traffic on Fiona Crescent/Joseph Court; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 30. (a) That four-way stop control be implemented at the intersection of Dromore Crescent and Paisley Avenue North; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 31. (a) That a "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of Strathearne Avenue commencing at a point 212 feet south of the north end and extending to a point 22 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 32. (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 11:00 p.m., seven days a week" regulation be implemented on the west side of East 23rd Street commencing at a point 250 feet south of Concession Street and extending to a point 26 feet southerly therefrom; and
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.

33. That the School Crossing Guard service be discontinued during the lunch hour period at the intersection of Emerson Street and Sussex Street.
34.
 - (a) That the action of the Director of Traffic Services in temporarily assigning a School Crossing Guard to the intersection of Kingfisher Drive and Heron Place/Sparrow Court during construction activities be confirmed; and
 - (b) That the Temporary School Crossing Guard be removed at the time when Limeridge Road is re-opened and conditions return to normal.
35. That the School Crossing Guard at Main Street East and Walter Avenue be removed.
36.
 - (a) That the Gibson Neighbourhood be designated as a Neighbourhood Watch Area; and
 - (b) That Neighbourhood Watch signs for the Gibson Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
 - (c) That \$1,111. of the necessary funds be charged to Account No. CH55301 75030 (Neighbourhood Watch Program), and the balance of \$333.50 be charged to Account No. CH56103 76420.
37. That the following sections of the City Traffic By-law No. 89-72 concerning parking meters be amended as follows:
 - (a) Section 28(1) - to include the definition of a "dollar coin" (loonie) and to delete the definitions of a "nickel" and a "dime"; and
 - (b) Section 30(5) - to provide that nothing except quarters and dollar coins may be deposited in any on-street parking meters.

38. That in accordance with the request by the Hamilton Street Railway Company the following bus stops be established:

Route 35 College

- Eastbound - Chester Avenue, south side, 131 feet west of the centre line of Annabelle Street (N/S),
- Eastbound - Chester Avenue, south side, 83 feet west of the centre line of West 5th Street (N/S),
- Northbound - Chesley Street, east side, 259 feet north of the centre line of Harbottle Court (M/B),
- Northbound - Chesley Street, east side, 89 feet north of the centre line of Stone Church Road West (F/S).

39. That Section 40(j) of City Traffic By-law No. 89-72 be amended to provide for an extension of "No Stopping" clearances at traffic signals from 200 feet to 250 feet without requiring specific entries in the By-law.
40. That the application of Mohawk College of Applied Arts and Technology to lease a portion of the boulevard of Bristol Street adjacent to No. 22 Bristol Street be approved, provided that:
- (a) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on 1986 March 25 (current annual rate is \$59.57 for the first two spaces and \$29.79 for each additional space up to 10 spaces per year) plus taxes, if any, in addition to the \$10. encroachment insurance charge approved by the City Council on 1984 February 14.
 - (b) the owner pays a one time \$27. registration fee, as approved by the City Council on 1986 January 14.
 - (c) the owner pays a one time \$178.73 processing fee, as approved by the City Council on 1988 January 12.

- (d) the owner complies with the requirements as set out in the policy approved by the City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
 - (e) the driveway approach, parking area and other structures, as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
 - (f) the owner executes an agreement satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
41. That the application of D. Morrison, agent for the East 34th Street Community Group to temporarily close East 34th Street between Fennell Avenue and Brucedale Avenue on Saturday 1993 July 24, from 3:00 o'clock p.m. to 12:00 midnight to hold a Street Dance, be approved subject to the following conditions:
- (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;

- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
42. That the application of M. Temperley, agent for the Hess Village Merchants Association (24 Hess Street South, Hamilton), to temporarily close Hess Street South between King Street and George Street from 6:00 o'clock p.m. on Thursday 1993 July 15, to 11:00 o'clock p.m. on Sunday 1993 July 18, for their annual Jazz Festival, be approved, during the pleasure of City Council provided:
- (a) That the applicant make application to the Region at least eight weeks in advance of that event;
 - (b) That approval from Regional Police Services be received;
 - (c) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (d) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (e) That all barricading be supplied by and at the expense of the applicant;
 - (f) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
 - (g) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;

- (h) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (i) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
- 43.
- (a) That upon Registration of the Final Plan of Subdivision for "Rymal Square Estates - Phase 4", in accordance with current City policy, the Treasurer for the City of Hamilton be authorized and directed to financially compensate the Owners, (Rymal Square Developments Inc.), in the amount of \$57,000. for lands in excess of one-half of the road allowance measuring approximately 0.570 acres for the establishment of "Acadia Drive" to its full width of 26.0 metres in accordance with the Approved Neighbourhood Plan for the Butler Neighbourhood.
 - (b) That the City's costs for the lands required to establish Acadia Drive as a Public Highway in "Rymal Square Estates - Phase 4", Hamilton of \$57,000. be approved and the Finance and Administration Committee recommend the source of funding for this expenditure.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to prepare the necessary By-laws to provide road access from Regional Road No 153, Rymal Road East, in the City of Hamilton, for Block 58, Rymal Square Estates - Phase 4 and that the By-laws not be registered until full Municipal Services are installed for the extension of Acadia Drive from the south limit of Lot 33, Rymal Square Estates - Phase 4 to Rymal Road east.
 - (d) That the City of Hamilton, Property Department be authorized to enter into negotiations with the owner Mr. Vito Sgro in order for the City to acquire the lands in the Eleanor Neighbourhood required to establish Eaglewood Drive as proposed on the Approved Neighbourhood Plan for the Eleanor Neighbourhood.

- (e) That as a condition of purchase by the City, with the current owner of future Eaglewood Drive, a clause be added to the offer of purchase stating, that, the owner of the lands on the north side of future Eaglewood Drive be responsible for one half of all City servicing costs, in order to establish Eaglewood Drive as a Public Highway.
 - (f) That the Mayor and City Clerk be authorized and directed to execute all related documents for the above-noted recommendations, subject to the approval of the City Solicitor.
44. (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreements with the Owners for the estimated cost of services in:

"ALLISON ESTATES - PHASE 1", Hamilton

City's Share - \$142,744.15 Owner's Share - \$58,138.48

"CLAUDETTE GARDENS - PHASE 4", Hamilton

City's Share - \$ NIL Owner's Share - \$79,426.17

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the Owners of "Allison Estates - Phase 1", Hamilton and "Claudette Gardens - Phase 4", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plans and Subdivision Agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.

- (e) That the City's share for services in "Allison Estates - Phase 1", Hamilton (\$142,744.15) be approved and that the Finance and Administration Committee recommend the source of funding for this project.
 - (f) That application be made to the Region for approval to establish Upper Wellington Street on the south side of Rymal Road East to 85 metres southerly as a public road allowance pursuant to Section 48(3) of the Regional Municipality of Hamilton-Wentworth Act.
45. (a) That additional funds totalling \$35,000. required for the completion of municipal services on Fieldway Drive be approved; and
- (b) That the Finance and Administration Committee recommend the source of funding.
46. (a) That the submitted revised schedule of works, submitted by the Developer's Professional Consulting Engineer and approved by the Commissioner of Transportation /Environmental Services be adopted for inclusion in the Subdivision Agreement with the Owners, for the estimated cost of services in EDAN HEIGHTS - PHASE 3, from the north limit of Butler Drive to the south limit of Edan Heights - Phase 3, Hamilton, with the additional works with the City's Share, \$49,696.75, Owner's Share, \$49,696.75 and that the Subdivision Agreement, registered as Instrument No. 342685LT between the City of Hamilton and 603976 Ontario Limited be amended accordingly.
- (b) That the Mayor and City Clerk be authorized and directed to execute all related documents required for this amendment to the existing Subdivision Agreement.
47. That the applications to retain inadvertent encroachments at the locations outlined in Appendix "A", attached hereto, be approved provided:
- (a) That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

- (b) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement the agreements.
 - (c) That the first year fees and subsequent annual fees outlined in Appendix "A" be set for the encroachments.
48. (a) That the following City lands be incorporated into the street in order to complete the final street width or provide access to newly registered subdivision developments:
- | | | |
|-------------------|-----------|----------------|
| Crerar Drive | Part 4 | Plan 62R-9668 |
| Colin Crescent | Block 30 | Plan 62M-724 |
| Ironwood Crescent | Block 25 | Plan 62M-539 |
| Lowcrest Avenue | Block 19 | Plan 62M-505 |
| Upper Paradise | Part 1 | Plan 62R-12388 |
| Cadham Boulevard | Block 149 | Plan 62M-639 |
| Ossington Drive | Block 148 | Plan 62M-639 |
| Lynnette Drive | Block 21 | Plan 62M-719 |
- (b) That the by-laws to carry out the incorporation of the said lands into the foregoing streets be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-laws.
49. (a) That the Director of Public Works be authorized and directed to close the Dundurn Street steps immediately and demolish as required to ensure safety to the public.
- (b) That consideration be given to include the replacement of the steps in the 1994 Capital Budget (presently slated for 1998).

50. That the City Treasurer be directed to close the following Capital Project Accounts with any excess funding to be transferred to its original source of financing.

Capital Centre No.	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source of Financing
528942001	1989 Reconstruction Programme	\$8,200,000	\$7,069,000	\$1,131,000	Capital Levy/ MTO Subsidy
529042001	1990 Reconstruction Programme	\$8,800,000	\$8,477,000	\$323,000	Capital Levy/MTO Subsidy
529142001	1991 Reconstruction Programme	\$6,718,000	\$6,664,000	\$54,000	Capital Levy/ MTO Subsidy

51. (a) That the construction of a finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72 m easterly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$62,300. with a City's share of \$35,350. and Owner's share of \$26,950. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the Director of Public Works be authorized and directed to remove thirty (30) trees within the road allowance of Dulgaren Street and replace with thirty (30) large caliper trees at a cost of \$14,400.; and,
- (e) That 50% (\$7,200.) of the tree removal and replacement cost be charged to the City's share for this project and 50% be charged to the Region attributable to the installation of sewers on Dulgaren Street; and,

- (f) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.
52. That the 1993 Capital Budget for Road Reconstruction include an amount of \$20,000. for construction of wheelchair ramps to supplement the Current Budget which was approved for \$42,000.
53. (a) That the City of Hamilton enter into a Tenancy Agreement with R. and G. Moore to rent the premises known as 2787 King Street East (Lower), subject to the terms and conditions of the Tenancy Agreement being satisfactory to the City Solicitor.
- (b) That a one-time rental charge of \$25. be charged for the period 1993 May 15 to 1993 May 31, for cleaning and decorating which has agreed to be carried out by the tenant.
- (c) That commencing 1993 June 1, the monthly rent will be \$300. (realty taxes for the entire property is \$2,456.68 for 1993), and rental proceeds to be credited to Account No. CH44104 31106 (City Properties - Rental).
- (d) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement in a form satisfactory to the City Solicitor.
54. (a) That an Offer to Purchase, duly executed by the owners, Gilles Christopher Cinq Mars and Charmaine Simona Van Schaik, on 1993 May 31 and scheduled to close within sixty (60) days of the passing and registration of a by-law to sell the closed alleyway, for the purchase of a portion of land designated as Part 2 on Reference Plan 62R-12021, more particularly described as having a length of 10.058 metres (33 feet) more or less, by a depth of 1.82 metres (6 feet) more or less, and comprising a total area of 18.305 square metres (198 square feet) more or less, being rear land behind municipal address 34 Thorndale Street North, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserved for Property Purchases).
- (b) That these lands be sold subject to an easement in favour of Bell Canada over Part 2, Plan 62R-12021.

- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.
- 55.
- (a) That Eleanor Avenue between Rymal Road East and Alma Street shown as Parts 1 to 6, on Plan 62R-12366, be closed.
 - (b) That the by-law to carry out the closure, sale and retention of the said lands be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
- 56.
- (a) That Block 43, Plan 62M-575, designated as Parts 1 & 2, on Plan 62R-12594 be closed and retained.
 - (b) That the by-law to carry out the closure and retention of the said lands be enacted by City Council.
 - (c) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
- 57.
- (a) That an "All-way Stop Control" be implemented at the intersection of Goulding Avenue and San Pedro Drive.
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
- 58.
- (a) That the West Central Branch of the Ontario Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to 912613 Ontario Ltd. receiving a Certificate of Approval to operate a Waste Disposal Site (Processing) located at 1579 Burlington Street East in Hamilton; provided that the following conditions be incorporated within their Certificate of Approval:
 - i. The owner/operator of this site is to ensure that all site activities as applicable are in compliance with "The Ontario Fire Code" and "N.F.T.A. 30 Flammable and Combustible Liquids Code";

- ii. The owner/operator of this site is to ensure that all site activities are in compliance with all regulations enforced by the Fuel Safety Branch of the Ministry of Consumer and Commercial Relations;
 - iii. All new construction or any alterations/renovations to be carried out on site are to be conducted under permit from the City of Hamilton Building Department;
 - iv. The owner/operator of this site is to ensure that a complete and concise inventory of all products stored on site including M.S.D.S. sheets are maintained and are available upon request;
 - v. All environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry of the Environment and Energy and that all applicable City of Hamilton and Regional By-laws are complied with fully;
- (b) That a copy of this report and its attachments be submitted to the West Central Branch of the Ministry of the Environment and Energy for their consideration in the preparation of the Certificate of Approval regulating the operation of the facility proposed by 912613 Ontario Ltd.;
- (c) That the Ministry of the Environment and Energy be requested to forward a copy of the Certificate of Approval upon its completion to the Regional Municipality of Hamilton-Wentworth's Waste Management Division.

Recorded vote.

YEAS: Mayor Morrow, Aldermen McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

59. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for Canadian Liquid Air Ltd. at 95 Birmingham Street, Hamilton, Ontario;
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
60. (a) That the West Central Branch of the Ministry of the Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to Rondar Inc. carrying out the proposed PCB destruction for Porritts & Spencer Canada Inc. at 240 Lottridge Street North, Hamilton, Ontario.
- (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the MOEE be waived so that the proposed work can be carried out as scheduled;
- (c) That no specific permits are required for the proposed work.
61. That the application of Wm. Powell, agent for the Hamilton-Wentworth Creative Arts Earthsong Festival (401 Main Street West, Hamilton) to temporarily make Longwood Road between Franklin and the Princess Point entrance one way south and to temporarily close Macklin Street from Dufferin Road to Longwood Road, from Thursday, 1993 July 1 at 12:00 o'clock noon to Sunday, 1993 July 4 at 11:00 o'clock p.m., to hold the annual Earthsong Festival, be approved, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
- (b) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (c) That all barricading be supplied by and at the expense of the applicant;

- (d) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Commissioner of Transportation/Environmental Services;
 - (e) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (f) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
62. (a) That the 38 proposed transit shelter locations in the City of Hamilton, as outlined in Appendix "B" attached hereto, as candidate shelter locations for the 1993 Hamilton Street Railway Shelter Program, be approved.
- (b) That the Hamilton Street Railway install 19 shelters at these candidate locations in the priority indicated by the warrant scores and subject to finalizing the necessary encroachment agreements.
- (c) That the remaining candidate shelter locations which do not receive a shelter through the 1993 Hamilton Street Railway Shelter Program be considered for future years.
63. (a) That the following guidelines, for the installation of pedestrian priority signals, be adopted as policy:
- pedestrian priority signals should not be installed closer than 200 metres to another traffic control signal or stop sign on a two-way street or closer than 125 metres to another traffic control signal or stop sign on a one-way street.
 - pedestrian priority signals should not be installed on roadways with posted speed limits in excess of 60 km/h, at least for the duration of the demonstration period.
 - adequate sight distance must be available for both pedestrians and vehicles for the operating speed on the roadway.

- a minimum of 100 pedestrians crossing the main street during the 7 highest hours of the day must be present.
 - fewer than 5,000 vehicles total per day must be present on the intersecting side street approaches; and,
- (b) That school crossing guards at pedestrian priority signal locations be retained for a period not to exceed two weeks after installation of the signals, to ensure that pedestrians using the signal operate the push buttons and understand the signals, following which the crossing guards will be removed.
64. (a) That the Fleet Services Division of the Public Works Department and City Garage of the Treasury Department be amalgamated to become one division in the Fleet Services Division of Public Works
- (b) That the presently vacant Superintendent of Operations position in the Fleet Services Division of Public Works with an annual salary, including benefits of \$75,761. be eliminated and the responsibilities be reassigned to the following:
- i. Supervisor of City Garage
 - ii. Foreman I
 - iii. Administrative Co-ordinator
- (c) That the Supervisor, City Garage of the Treasury Department, Foreman I and Administrative Co-ordinator in the Fleet Services Division of the Public Works Department (annual salaries estimated approximately \$144,638.) be reclassified. (annual salaries estimated at approximately \$158,221.08)
- (d) That the presently filled Garage Attendant position be eliminated, when it becomes vacant, for an annual savings of salary, including benefits and overtime of \$42,268.

- (e) That the presently filled Chauffeur I position be retained to provide chauffeur service to the Corporation as required and that the job description be modified to expand duties related to the maintenance and administration of the car fleet. This will allow the Supervisor of the City Garage to manage the new responsibilities that have been redistributed from the vacant Superintendent of Operations position.

65. (a) That an Offer to Purchase (Highway Closure), to be executed by Lou Parsons, Chairman, and Rick Ducharme, Managing Director, on behalf of the Toronto Area Transit Operating Authority, and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph number 9 of said Agreement, but in any event no later than 1995 May 2, for the sale of part of Beckley Street, abstracted as part of Lots 99, 100, 101, 104 and part of the Market Reserve, and part of Hughson Street, designated as Part 2 on Reference Plan 62R-12475, more particularly described as having a width along the westerly limit of John Street of 13.213 metres (43.35 feet) more or less, by a depth of 206.069 metres (676.08 feet) more or less, being irregularly shaped and consisting of a total area of 2,009.82 square metres (21,635 square feet) more or less, be approved and completed, and the funds derived from this sale of \$432,700. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That it be agreed that the balance due on closing to the City of the sale price of the closed highway known as Beckley Street, shall be reduced by the sum of \$64,585.56 and \$8,000., respectively. The \$64,585.56 is the purchase price payable by the City to the Toronto Area Transit Operating Authority for the sale to the City of land required for the City's sidewalk on the southerly limit of Hunter Street. The sum of \$8,000. represents the City's share of costs associated with the reconstruction of the steps located along the northerly boundary of Haymarket Street. The Toronto Area Transit Operating Authority agrees to convey the said sidewalk land and to dedicate the land between the sidewalk and the existing Hunter Street to the City in order that they may be established as part of Hunter Street by City by-law.

Said proposed conveyance and dedication to the City,

- i. is outlined in Appendix "C" attached hereto;

- ii. shall be surveyed by the Toronto Area Transit Operating Authority; and
 - iii. such conveyance and dedication shall be completed within two (2) months of the opening of the Go Station.
- (c) That this sale be conditional upon the Toronto Area Transit Operating Authority becoming the registered owner of the adjacent land.
- (d) That as the proposed closure and sale of the highway requires an alteration to a portion of adjacent highway not being closed, namely the construction of a median to separate the portion of Beckley Street being closed and sold to the Toronto Area Transit Operating Authority herein and the portion of Beckley Street which fronts onto James Street South that is remaining open - the closing of this sale to the Toronto Area Transit Operating Authority is conditional upon the City,
- i. having published in the newspaper for four (4) successive weeks notice of Council's intent to pass such alteration by-law and to hear any person who claims that the person's land will be prejudicially affected by the by-law, and
 - ii. the City having decided after holding the said hearing, to proceed with the alteration by-law and the said alterations [Municipal Act, S. 297(1)(b) and S. 300].
- (e) That the Commissioner of Transportation/Environmental Services be directed to prepare a by-law to alter a portion of the adjacent highway to the proposed closure of a portion of Beckley Street.
- (f) That the City's deed to the purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, over Part 2, Plan 62R-12475, or such lesser area as required by the Region.
- (g) That this sale be conditional upon the Toronto Area Transit Operating Authority, at its own expense, obtaining and maintaining Comprehensive General Liability (Wrap-Up) and Course of Construction Insurance covering itself and all contractors, sub-contractors, engineers, architects, consultants and sub-consultants, along with all subsidiary, affiliated and associated entities, including

the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, with whom Toronto Area Transit Operating Authority is associated through an agreement to construct as it relates to the lands herein. The Toronto Area Transit Operating Authority reserves the right to self-insure this risk and will indemnify against any losses that would have been covered by these policies should they decide to exercise their rights.

- (h) That upon completion of those improvements constructed upon City property (ramp, stairs, canopies) by the Toronto Area Transit Operating Authority, its agents, contractors, or assigns, the City shall accept ownership of said works, subject to a two (2) year warranty against defects after which maintenance shall be the responsibility of the City of Hamilton.
- (i) That the Commissioner of Transportation/Environmental Services be authorized to issue permits under the Streets By-law to the Toronto Area Transit Operating Authority to enter portions of Haymarket, Hughson and Hunter Streets adjacent to the proposed GO Station for the purpose of carrying out improvements required by the City to the streets, their sidewalks, stairs and ramp for pedestrian/vehicular access.
- (j) That the Toronto Area Transit Operating Authority, at its expense, before it commences use of the Go Station shall remove the three (3) concrete poles with luminaries fed by an underground duct.
- (k) That in consideration for, and as a condition of the sale of these lands, the Toronto Area Transit Operating Authority agrees:
 - i. to submit plans and any changes or deviations thereto for the approval of the Council of the City of Hamilton prior to the commencement of alterations to the former station and the subject land.
 - ii. to apply and pay for building permits in respect of its buildings and construction plans.
- (l) That it be a condition of this sale that the Toronto Area Transit Operating Authority agree to carry out and complete the said works as listed below on or before the opening of the Go Station to commuters.

The Said Works to be carried out by the Purchaser are as follows:

- i. Removal and replacement of 320 square metres, more or less, of deteriorated sidewalk along those portions of the south limit of Beckley Street to be closed and sold to the Purchaser.
- ii. Removal and replacement of 25 metres, more or less, of deteriorated concrete curb on Beckley Street.
- iii. Removal of concrete stairs and retaining wall which separated Beckley Street and Haymarket Street and replacement of same with new stairs and wheelchair accessible ramp. (The Vendor has adjusted the sale price as set out in Clause Number 1 to pay its share of City costs.)
- iv. Removal and replacement of concrete sidewalk and curb on Hughson and Haymarket Streets to facilitate construction of the new stairs and ramp aforementioned.
- v. Construction and installation of a canopy from the base of said stairs to the top and to encompass the proposed wheelchair ramp.
- vi. Construct and install an extended south vestibule area to accommodate wheelchair patrons in accordance with plans provided to, and approved by the Vendor.
- vii. Construct and install canopies and interfaces as close as possible to the adjacent street property lines and to include some type of pedestrian cover between the property and existing bridges, in order to provide a continuously covered fully accessible pedestrian walkway.
- viii. Construct and install contrasting tactile edging to facilitate pedestrian movements crossing the driveways at James and John Streets in accordance with Barrier-Free Design Standards.
- ix. To submit all future plans for review and comment.

66. (a) That a three-way stop control be implemented at the intersection of Everest Street and Templemead Drive.
- (b) That the City Traffic By-law No. 89-72 be amended accordingly.
67. That leave be granted to introduce the following Bills:
- (a) **Bill A-42** By-law to Stop-up, Close, Sell and Retain
Part of Eleanor Avenue between Rymal Road East and Alma Street
- (b) **Bill A-43** By-law to Stop-up, Close and Retain all of Block 43, Plan 62M-575
(Public Walkway)
- (c) **Bill A-44** By-law to Incorporate Part 4, Plan 62R-9668 into Crerar Drive
- (d) **Bill A-45** By-law to Incorporate Block 30, Plan 62M-724 into Colin Crescent
- (e) **Bill A-46** By-law to Incorporate Block 25, Plan 62M-539 into Ironwood Crescent
- (f) **Bill A-47** By-law to Incorporate Block 19, Plan 62M-505 into Lowcrest Avenue
- (g) **Bill A-48** By-law to Incorporate Part 1, Plan 62R-12388 into Upper Paradise
- (h) **Bill A-49** By-law to Incorporate Block 149, Plan 62M-639 into Cadham
Boulevard
- (i) **Bill A-50** By-law to Incorporate Block 148, Plan 62M-639 into Ossington Drive
- (j) **Bill A-51** By-law to Incorporate Block 21, Plan 62M-719 into Lynnette Drive
- (k) **Bill A-52** By-law to Amend By-law No. 89-72 to Regulate Traffic
- (l) **Bill A-53** By-law to Amend By-law No. 89-72 to Regulate Traffic

1993 June 29

(m) **Bill A-54**

By-law to Amend By-law No. 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson, Secretary
1993 June 21

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 June 29

Appendix "A" as referred to in
Section 47 of the EIGHTH Report
of the Transport and Environment
Committee for 1993

<u>Location</u>	<u>Type of Encroachment</u>	<u>Solicitor/Agent</u>	<u>First Year/Annual</u>	<u>File Number</u>
137 Britannia Ave.	Concrete porch measuring 2.86' x 17.4' and a frame garage on the road allowance of Ellis Ave. measuring 3.18' x 20.6'	Kerr & Hawken Barristers & Solicitors 442 Brant Street Burlington Ontario L7R 2G4	\$131/20.00	T103-50 (1030)
274 Beechwood Ave.	Concrete verandah measuring 1.95' x 18.4'	Petrini, Rubenstein & Waxman Barristers and Solicitors 242 James Street South Hamilton, Ontario L8P 3B3	\$131/20.00	T103 50 (1029)
758 Britannia Ave.	Verandah and steps measuring 4.87' x 20.0'	Robert R. Blake Barrister & Solicitor 1119 Fennell Ave. E. Hamilton Ontario L8T 1S2	\$131/20.00	T103 50 (1027)
29 Emerald St. N.	Concrete Steps & porch measuring 0.45' x 5.91'	Yachetti, Lanza & Restivo Barristers & Solicitors 154 Main Street East Hamilton Ontario L8N 1G9	\$131/20.00	T103 50 (1034)
35 Macallum St.	Concrete steps measuring 0.73' x 4.00' and two concrete retaining walls measuring 0.05' x 14.15'	Frank P. Sondola Barrister and Solicitor 25 Hughson St. S. Hamilton Ontario L8N 2A5	\$131/20.00	T103 50 (1035)

196 Napier St.	Concrete porch measuring 2.26' x 4.00'	Petrini, Rubenstein & Waxman 242 James St. S. Hamilton Ontario L8P 3B3	\$131/20.00	T103 50 (971)
188 Ray St. N.	Wood porch measuring 3.50' x 4.00'	Borkovich & Ingrassia Barristers & Solicitors 1 Main St. E. Hamilton Ontario L8N 1E7	\$131/20.00	T103 50 (948)
134 Grant Ave.	Fire escape stairs measuring 0.28' X 4.0'	Braden & Braden Barristers, Solicitors, & Notaries 123 Ottawa St. N. Hamilton, Ontario L8H 3Y9	\$131/20.00	T103 50 (1048)
75 14 Madison Ave.	Steps measuring 2.23' X 3.05'	P. Anthony Marshall Barrister, Solicitor, Notary Public 68 Charlton Avenue West Hamilton, Ontario L8P 2C1	\$131/20.00	T103 50 (1049)
482 Catharine St. N.	Stoop measuring 0.22' X 3.14'	Burns, Vasan, Christmas Barristers & Solicitors 100 King St. W. Hamilton, Ontario L8N 4B7	\$131/20.00	T103 50 (1051)

307 Mary St. N.	Steps measuring 3.0' X 2.83'	Ross & Ross Barristers, Solicitors, Notaries 20 Jackson St. W., Ste. 414 Hamilton, Ontario L8P 1L2	\$131/20.00	T103 50 (1052)
153 Simcoe St. E.	Steps measuring 1.32' X 3.0'	Yachetti, Lanza & Restivo Barristers & Solicitors 154 Main St. E., Ste. 100 Hamilton, Ontario L8N 1G9	\$131/20.00	T103 50 (1050)
60 St. Matthews Ave.	Porch and steps measuring 3.30 X 5.50'	Zimmerman & Associates 1 King St. W., Box 360 Hamilton, Ontario L8N 3H4	\$131/20.00	T103 50 (1053)
169 Hess St. S.	Steps measuring 3.0' X 4.95' and porch measuring 4.6' X 3.25'	Millar, Alexander Barristers & Solicitors 120 King St. W. Hamilton, Ontario L8P 4V2	\$131/20.00	T103-50 (1054)
85 Elgin St.	Steps measuring 3.0' X 2.8'	Paletta & Palios Barristers & Solicitors 132 Jackson St. E. Hamilton, Ontario L8N 1L3	\$132/20.00	T103 50 (1055)
67 Cathcart St.	Steps measuring 3.0' X 2.5'	Paletta & Palios Barristers & Solicitors 132 Jackson St. W. Hamilton, Ontario L8N 1L3	\$132/20.00	T103 50 (1056)

9 Mount Royal Ave.	Steps measuring 2.51' X 6.30'	Zimmerman & Associates Barristers, Solicitors, Notaries 100 Main St. E. Hamilton, Ontario L8N 3W6	\$132/20.00	T103 50 (1057)
383 Herkimer St.	Steps measuring 2.08' X 3.5' and porch measuring 1.73' X 2.40'	George J. Parker Barrister, Solicitor & Notary 14 Bold St. Hamilton, Ontario L8P 1T2	\$132/20.00	T103 50 (1058)
273 Dunsmure Rd.	Porch measuring 9.85' X 3.56'	Simpson, Watson & Vujnovic Barristers and Solicitors 950 King St. W. Hamilton, Ontario L8S 1K8	\$131/20.00	T103 50 (1059)
261 Woodbine Cres. 61	Portion of building measuring 0.65' X 1.84'	Alexander Mouriopoulos Barrister, Solicitor 64 King St. E. Hamilton, Ontario L8N 1A6	\$132/20.00	T103 50 (1060)
29 Fairmont Ave.	Steps measuring 3.0' X 11.5'	Paul N. Lannon Barrister and Solicitor 3390 South Service Rd. Burlington, Ontario L7N 3J5	\$131/20.00	T103 50 (1061)

1993 June 29

Appendix "B" as referred to in
Section 62 of the EIGHTH Report
of the Transport and Environment
Committee for 1993

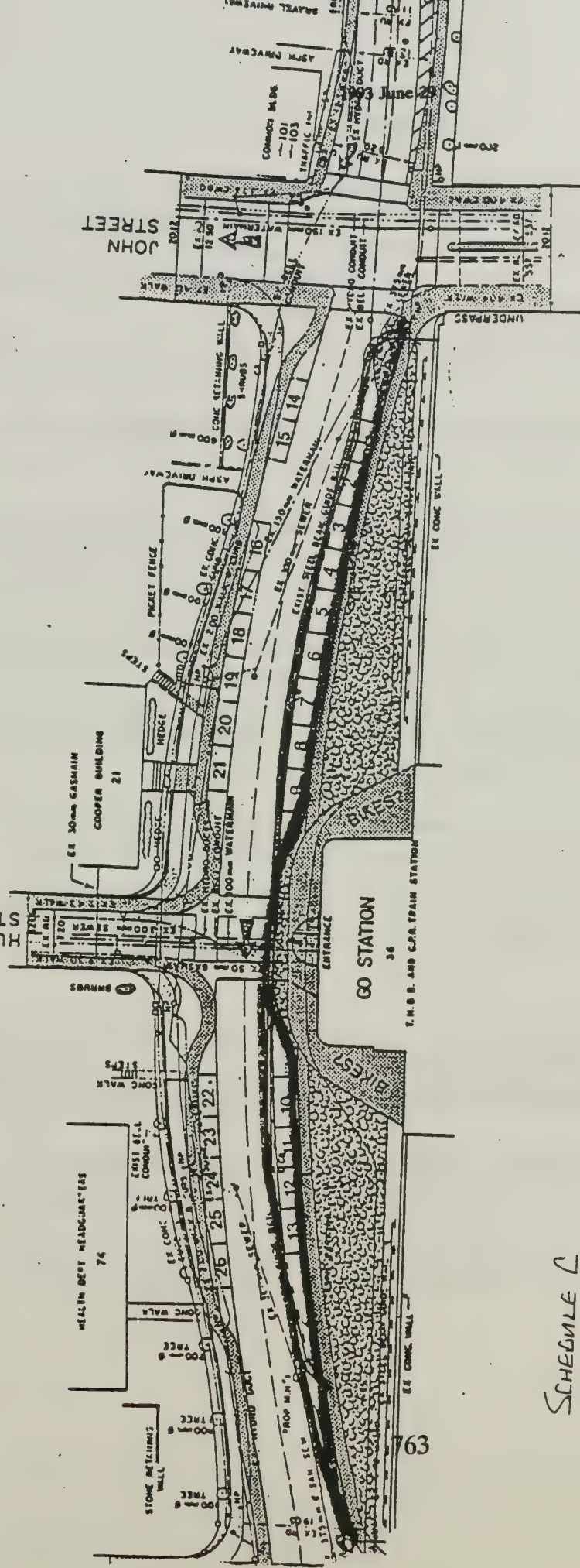
1993 Proposed Shelter Locations
City of Hamilton

STOP #	LOCATION	CORNER	SHELTER TYPE	SCORE	REQUEST ORIGIN	ENCR. REQ'D
70817	Ottawa St. S. at Main St. E.	S/E	AD	87	Customer	YES
72606	Main St. E. at Emerald St. S.	S/E	AD	79	Customer	YES
82620	Main St. W. at #998	S/Side	AD	78	Customer	NO
61334	Mohawk Rd. W. at Upper Horning Rd.	S/E	AD	77	Customer	NO
72539	King St. E. at Belview Ave.	N/E	AD	74	Customer	YES
51314	Mohawk Rd. E. at Upper Wentworth St.	N/E	AD	74	Customer	YES
60314	Upper Paradise Rd. at Mohawk Rd. W.	S/W	AD	70	Customer	NO
51315	Mohawk Rd. E. at Upper Wentworth St.	S/W	AD	69	Councillor Jackson	NO
50520	Upper Ottawa St. at Mohawk Rd.	N/W	AD	69	Customer	NO
81324	Mohawk Rd. W. at Upper Paradise Rd.	S/W	AD	67	Customer	YES
72571	King St. E. at Gilmont Dr.	N/E	AD	63	Councillor Agostino	NO
72567	King St. E. opp. Mt. Albion Rd.	N/Side	AD	63	Councillor Agostino	NO
80131	MacNab St. S. at Charlton Ave. W.	S/E	NAD	63	Customer	NO
50520	Upper James St. at Queensdale Ave. E.	S/E	AD	63	Customer	NO
51345	Grenadier Ave. at Mohawk Rd. E.	N/E	NAD	62	Customer	NO
82515	King St. W. at Macklin St.	N/E	AD	61	Customer	YES
81246	King St. E. opp. Quigley Rd.	N/Side	AD	60	Customer	NO
81246	Main St. W. at #1895	E/Side	AD	60	Customer	NO
60329	Upper Paradise Rd. at Gemini Dr.	N/E	AD	60	Councillor Ross	NO
50420	Upper Gage Ave. at Edwins Pl.	N/W	AD	59	Customer	NO
72568	King St. E. at Mt. Albion Rd.	S/W	AD	58	Customer	NO
60331	Upper Paradise Rd. at Stone Church Rd.	S/E	NAD	56	Councillor D'Amico	NO
81116	Emerson St. at Main St. W.	S/E	NAD	55	Customer	YES
51242	Fennell Ave. at Glenford Ave.	S/W	CAN	55	Customer	NO
71424	Beach Blvd. at Van Wager's Beach Rd.	N/W	NAD	54	Customer	NO
70707	Gage Ave. N. at Beach Rd.	N/E	AD	54	Customer	NO
72674	Queenston Rd. at #770	S/Side	NAD	54	Customer	NO
81003	Franklin Ave. at Longwood Rd.	N/W	NAD	53	Councillor Kiss	NO
50545	Upper Ottawa St. at #1527	E/Side	AD	53	Customer	NO
80129	MacNab St. S. at Robinson St.	S/E	NAD	51	Customer	NO
50140	Upper Wellington St. at Stone Church Rd.	N/W	AD	51	Councillor Gallagher	NO
81114	McMaster Service Rd. at Main St. Exit	S/W	NAD	50	Customer	YES
50407	Upper Gage Ave. at Brucedale Ave.	S/E	AD	50	Customer	NO
60337	Upper Paradise Rd. at Rymal Rd.	N/E	AD	50	Customer	NO
72152	Burlington St. E. at Parkdale Ave.	S/W	NAD	49	Customer	YES
60233	Garth St. opp. #1440	E/Side	NAD	49	Councillor Ross	NO
72584	Greenhill Ave. at Tasha Ct.	N/W	NAD	46	Customer	NO
80117	MacNab St. N. at York Blvd.	N/E	762 NAD	43	Customer	NO

HUNTER STREET

HUGHSON STREET

JOHN STREET



Appendix "C" as referred to in
Section 65 of the EIGHTH Report
of the Transport and Environment
Committee for 1993

SCHEDULE C

- A) SIDEWALK LANDS TO BE PURCHASED BY CITY OF HAMILTON 300 SQ METRES
- B) LANDS TO BE DEDICATED UPON COMPLETION AT TORONTO AREA TRANSIT OPERATING AUTHORITY

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. That permission be granted to the Hamilton Rotary Club to sell food and alcoholic beverages during the occasion of their annual picnic, scheduled at Pier-4 Park, on 1993 August 18, under the terms and conditions which includes the following:
 - (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

2. That permission be granted to Hamilton Wentworth Adult Slo-Pitch to sell alcoholic beverages during the occasion of their Slo-Pitch Tournament, scheduled at Globe Park, on the following dates 1993 August 14 and August 15, under the terms and conditions which includes the following:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

3. That approval be given to the Hamilton-Wentworth Police Association to sell beer on the occasion of their Baseball Tournament to be held at Globe Park on 1993 July 17 and July 18, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.

- (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
- (d) That the concessionaire be contacted to make the necessary arrangements for the provision of food.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

4. That permission be granted to the Montgomery Park Neighbourhood Committee to sell beer during the occasion of their opening celebrations for their new playground structure, scheduled at Montgomery Park on 1993 July 24, under the terms and conditions which includes the following:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (d) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Charters, Merling, Anderson, D'Amico, Ross. -14.

NAYS: Alderman Jackson. -1.

CARRIED.

5. (a) That the Property and Law Departments be authorized to prepare the necessary easement agreements to allow Public Works Canada access over the City lands and water lots, as outlined in Appendix "A" attached hereto, for the construction of a "carp barrier" at Desjardins Canal, access road and access bridge.

(b) That the Property and Law Departments be authorized to prepare the necessary easement agreements to allow the Royal Botanical Gardens access over the City lands and water lots, as outlined in Appendix "A" attached hereto, for the operation and maintenance of the "carp barrier" at Desjardins Canal.
6. That the City of Hamilton, Department of Culture and Recreation, and the Arts Coordinator be authorized to assist with the development of a Regional Arts Policy and the Cultural Grants Strategic Task Force as formally requested by the Regional Council.
7. That the City of Hamilton formally bid for the hosting of the Canada Games in the year 2001.
8. That approval be granted of the action taken by the Hamilton Tiger Cat Football Club in entering into an agreement with Restauroincs Services Inc., to provide concession services at Ivor Wynne Stadium during the 1993 season.
9. That a formal park naming process for the parcel of parkland informally called Harbourfront Park i.e. former Lax Property, be initiated at the call of the West Harbourfront Development Steering Committee in conjunction with the undertaking of the West Harbourfront Development Study.
10. That staff be authorized to commence discussions with the Executive Committees representing each of the four lawn bowling clubs with the intent of implementing a 1994 transfer of daily maintenance services to a volunteer base within these facilities.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, McCulloch, Drury, Morelli, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

11. That staff be authorized to construct a sun shelter in Randall Park in 1993 through the postponing of additional bandshell seating in Gage Park until 1994.
12. (a) That the City of Hamilton grant conditional approval to the City of Burlington for the "major capital improvement" proposed by it to restore the Pavilion at LaSalle Park for public use in accordance with Sections 6 and 9 of the LaSalle Park Agreement between the parties dated 1985 March 28, subject to the City of Burlington:
 - i. agreeing that Hamilton will not be obligated to pay any undepreciated capital improvement cost of this major capital improvement planned for the pavilion in the event the lease is terminated after 40 years without renewal or ends after any renewal period, or in the event the lease is terminated, cancelled or ends pursuant to this agreement or law before the expiration of the 40 year term, as recited in Paragraph 24;
 - ii. providing the detailed plans and drawings of the restoration of the pavilion for approval of Hamilton City Council;
 - iii. executing an agreement to amend the existing Lease between the parties, incorporating the revisions described herein.
- (b) That the City of Burlington be informed that this approval is preliminary only and is subject to the final detailed plans, drawings and other documentation being received and approved by Hamilton City Council with respect to the restoration of the pavilion, prior to final approval being given and prior to the commencement of any physical alteration to the pavilion.
- (c) That the Mayor and City Clerk of Hamilton be authorized to execute an agreement to amend the existing lease of LaSalle Park lands between the City of Hamilton and the City of Burlington, incorporating the changes.
- (d) That the City of Hamilton endorse the public fund raising efforts of the City of Burlington with respect to the restoration of the Pavilion.

13. (a) That a purchase order be issued to Arrowhead Paving Inc., Burlington, in the amount of \$82,037.45 to install Asphalt Pathways in Gershome Neighbourhood, Kennedy East Neighbourhood, Montgomery, Schwenger, Stirton Tot Lot and Trenholme Parks, being the lowest of twelve quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Work Done For Others Account No. CH56398 62910.
- (b) As it will take 3 weeks to complete all six parks and three of the parks will be opening in late June, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
14. (a) That approval be given to enter into a contract with Harm Schilthuis and Sons Ltd., Ancaster, in the amount of \$261,040.41 for the construction of the tugboat play area and spray pad including water service at the Pier-4 Park, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That the amount of \$261,040.41 be funded from the following accounts:
 - Pier-4 Park
 - Harbourfront CF5200 419154007 \$138,000.
 - North-End Anti-Recession
 - Program CF5200 429202004 \$ 48,300.
 - Harbourfront Park Remediation
 - Stage 2 CF5200 419254003 \$ 74,740.41
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and Harm Schilthuis and Sons Ltd. of Ancaster.
- (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

- (e) Pier-4 Park will be opening 1993 July 23; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a six-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
- 15.
- (a) That approval be given to enter into a contract with Valee Way General Contractors Ltd. in the amount of \$165,539.70 for the construction of a wading/spray pool and creative play structure area at Huntington Park, being the lowest of seven (7) tenders received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender.
 - (b) That the amount of \$165,539.70 be funded from the following two accounts: Huntington Wading Pool Conversion - CF5200 709341015 at \$85,000. and Huntington Park Development Program - CF5200 629354004 at \$80,539.70.
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Valee Way General Contractors Ltd.
 - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
 - (e) Huntington Park will be opening on 1993 July 9; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a four-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

16. (a) That a purchase order be issued to Black Top Enterprises Ltd., Hagersville, in the amount of \$110,531. including all taxes and \$15,000. contingency, to construct Spray Pads at HAAA Grounds and Sam Manson Park, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender, and be funded through Work Done For Others Account No. CH56398 62910, and subsequently charged to Park Development and Redevelopment Account No. CF629254007 (1992) and CF629354006 (1993).
- (b) Sam Manson Park will be opening on 1993 July 1; therefore, the contractor cannot wait for final City Council approval on June 29 because there is a 3 -4 week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".
17. That approval be given to deaccession the following artifacts that are currently housed at the Barton Street storage facilities:
 - (a) O.C.465.3 items a-h Bed and accessories (factory made)
 - (b) O.C.453.1 Carding Wheel
 - (c) O.C.452.1 Carding Wheel
 - (d) O.C. 451.1 Carding Wheel
 - (e) O.C.445.1 Spinning Wheel and parts
 - (f) O.C.445.2 Spinning Wheel and parts
 - (g) O.C.445.30 Spinning Wheel and parts
 - (h) O.C.445.27 Spinning Wheel and parts
 - (i) O.C.668.1 Chandelier (McGinnis era)
 - (j) O.C.668.2 Chandelier (McGinnis era)

1993 June 29

18. That the City waive its cost share Fence Policy and fund 100% of the fence cost at 131 Trenholme Crescent, adjacent to Trenholme Park.

Respectfully Submitted,

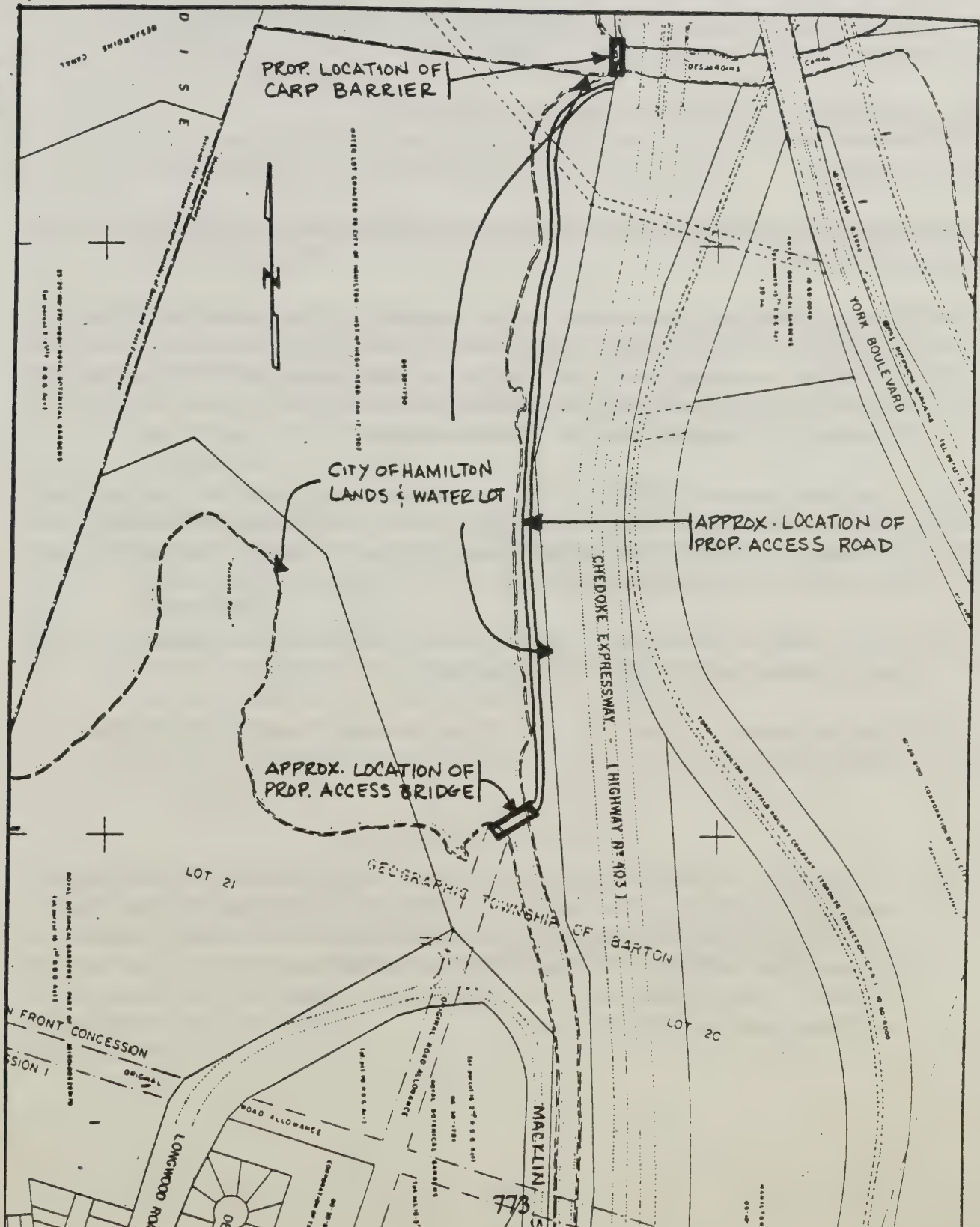
Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 June 22

1993 June 29

Appendix "A" as referred to in
Section 5 of the ELEVENTH Report
of the Parks and Recreation
Committee for 1993



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWELFTH** Report for 1993 and respectfully recommends:

1.
 - (a) That approval be given to enter into a contract with Stephens Rankin Inc., St. Catharines, in the amount of \$246,998.80 including all taxes and a \$20,000. contingency to supply and install asphalt at the harbourfront park, being the lowest acceptable tender received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender.
 - (b) That the amount of \$182,147.80 for Harbourfront park be funded from Harbourfront Park Remediation - Stage I, Account No. CF5200 419254001, and the amount of \$64,851. be funded from Harbourfront Park Remediation -Stage II, Account No. CF5200 419254003.
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Stephens Rankin Inc. of St. Catharines.
 - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
2.
 - (a) That approval be given to enter into a contract with Brantford Landscaping and Sodding Ltd., Paris, in the amount of \$494,664.53 including all taxes and a \$50,000. contingency for the supply and installation of landscaping features at Harbourfront and Pier 4 Parks, being the lowest acceptable of two tenders received in accordance with the specifications issued by the Manager of Purchasing and the Vendor's tender.

- (b) That the amount of \$410,905.14 be funded from Harbourfront Park Remediation - Stage II, Account No. CF5200 419254003, and the amount of \$83,759.39 be funded from the North End PRIDE Anti Recession Program, Account No. CF5200 429202004.
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Brantford Landscaping and Sodding Ltd. of Paris.
 - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.
- 3.
- (a) That approval be given to enter into a contract with Kelt Contracting Corporation Ltd., Grimsby, in the amount of \$326,053.10 including all taxes and a \$50,000. contingency to supply and install various plant materials at Harbourfront and Pier 4 Parks, being the lowest acceptable tender received in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender.
 - (b) That the amount of \$150,000. be funded from Harbourfront Park Remediation - Stage I, Account No. CF5200 419254001, and the amount of \$176,053.10 be funded from Harbourfront Park Remediation - Stage II, Account No. CF5200 419254003.
 - (c) That a contract satisfactory to the City Solicitor be entered into between the City and Kelt Contracting Corporation Ltd., of Grimsby.
 - (d) That the Mayor and the City Clerk be authorized to execute the contract on behalf of the City.

Respectfully Submitted,

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

**T. Agnello, Acting Secretary
1993 June 29**

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. That approval be given to Zoning Application 92-55, Luval Enterprises Limited, owners, for changes in zoning from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District (Block "1") and to "RT-30"-'H' (Street Townhouse - Holding) District (Block "2"); and from "R-4" (Small Lot Single-Family Detached) District to "RT-20"-'H' (Townhouse-Maisonette - Holding) District (Block "3"), to "RT-30"-'H' (Street Townhouse - Holding) District (Block "4"), and to "DE-3"-'H' (Multiple Dwellings - Holding) District (Block "5"), to permit one single-family dwelling lot (Block "1"), 32 street townhouse units (Blocks "2" and "4"), 19 townhouse units (Block "3"), and a three storey, 39 unit, multiple dwelling (apartment building) (Block "5"), for lands located south of Mud Street and west of Upper Mount Albion Road, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed Zoning Districts. The holding provision will prohibit development of the subject lands until the applicant/owner has entered into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department.

Removal of the holding restriction shall be conditional upon the applicant/owner entering into a Modified Subdivision Agreement with the City/Region, and an Access Agreement with the Region, to the satisfaction of the Regional Roads Department. City Council may remove the 'H' symbol, and thereby give effect to the "C", "RT-20", "RT-30" and "DE-3" District provisions as stipulated in this By-law by the enactment of an amending By-law.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District;
- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "RT-30"-'H' (Street Townhouse - Holding) District;
- (d) That Block "3" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-20"-'H' (Townhouse - Maisonette - Holding) District;
- (e) That Block "4" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "RT-30"-'H' (Street Townhouse - Holding) District; and
- (f) That Block "5" be rezoned from "R-4" (Small Lot Single-Family Detached) District to "DE-3"-'H' (Multiple Dwellings - Holding) District;
- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-79B for presentation to City Council;
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area; and
- (i) That the Albion Falls Neighbourhood Plan be amended by redesignating Blocks "2" "3" and "4" from "Single and Double Residential" to "Attached Housing", and Block "5" from "Single and Double Residential" to "Medium Density Apartments".

2. That approval be given to Zoning Application 92-57, Philpott Memorial Church, owner, for a change in zoning from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District modified to permit a parking lot or future expansion of the adjacent church, on lands known as 89-91 Vine Street, as shown on the attached map marked as Appendix "B", on the following basis:
 - (a) That the subject lands be rezoned from "L-c" (Planned Development - Commercial) District to "H" (Community Shopping and Commercial, etc.) District;
 - (b) That the "H" (Community Shopping and Commercial, etc.) District regulations contained in Section 14 of Zoning By-law 6593 be modified to include the following variance as a special requirement:
 - i. a landscaped planting strip of not less than 3.0 m (9.84 feet) in width shall be provided and maintained along Vine Street, except for any area used for access driveways.
 - (c) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1312, and that the subject lands on Zoning District Map W-4 be notated S-1312;
 - (d) That the City Solicitor be direct to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-4 for presentation to City Council; and,
 - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
3. A. That Zoning Application 93-01, Adorn Investments Limited, owners and Valerie Fine, Trustee, for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1", from "AA" (Agricultural) District to "RT-30" (Street Townhouse) District for Block "2", from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District for Block "3", and from "R-4" (Small Lot Single-Family Detached) District to "RT-30" (Street Townhouse) District for Block

"4", for property located at the rear of 1011 Queenston Road, shown on the attached map marked as Appendix "C", be denied for the following reasons:

- (a) The proposed street townhouses (Blocks "2" and "4") conflict with the intent of the Official Plan and the approved Riverdale East Neighbourhood Plan which designates these lands "Single and Double Residential". The Official Plan states that new development will comply with the approved Neighbourhood Plan and will contribute to the desired mix of housing, and that varieties of residential types will not be mixed indiscriminately;
 - (b) Street townhouses (i.e. Block "2" and "4") would not be compatible with established and future intended development in the surrounding area which is predominately one and two-family dwellings to the north and the east; and,
 - (c) Approval of the application could encourage other similar applications which, if approved, would undermine the intent of the Official Plan and approved Neighbourhood Plan.
- B. That approval be given to an amended Zoning Application 93-01, Adorn Investments Limited, owners and Valerie Fine, Trustee for changes in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District for Block "1", and from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District for Block "2", for property located at the rear of 1011 Queenston Road, shown on the attached map marked as Appendix "D", on the following basis :
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District;
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District;

- (c) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block "2", be modified to include the following variances as special requirements:
 - i. That a landscape planting strip not less than 6.0 m wide shall be provided and maintained along the northerly limits of the "H" district lands where they abut the residential district to the north; and,
 - ii. a visual barrier not less than 2.5 m in height shall be provided and maintained within the landscaped planting strip referred to in clause (a).
 - (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1313, and that the subject lands on Zoning District Maps E-124 and E-125 be notated S-1313;
 - (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-124 and E-125 for presentation to City Council;
 - (f) That the approved Riverdale East Neighbourhood Plan be amended by deleting the proposed walkway along the easterly limits of Blocks "1" and "2";
 - (g) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
- C. That Site Plan Control By-law 79-275, as amended by By-law 87-233, be amended by adding Block "2" to Schedule "A".

4. That approval be given to City Initiative 93-A to provide for a general text amendment to Zoning By-law No. 6593 by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts; and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts, on the following basis:

(a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 be amended by:

- i. deleting the word "Townhouses" from the district title so that it shall read as "(Urban Protected Residential - One and Two Family Dwellings, ETC.)";
- ii. deleting Section 10.(1)(iii) in its entirety; and
- iii. adding thereto the following subsection:

PRIOR EXISTING USES

(8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
- (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(b) That the "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 be amended by:

- i. deleting Section 10A.(1)(v) in its entirety; and
- ii. adding thereto the following subsection:

PRIOR EXISTING USES

(8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (c) That the "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 be amended by:
- i. deleting Section 10B.(1)(v) in its entirety; and
 - ii. adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
- (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (d) That the "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 be amended by:
- i. deleting Section 10C.(1)(v) in its entirety; and
 - ii. adding thereto the following subsection:

PRIOR EXISTING USES

(9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

(i) A Townhouse Dwelling subject to the "RT-20" District provisions;

(ii) A Maisonette Dwelling subject to the "RT-20" District provisions;

(iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "PRIOR EXISTING USE".

(e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 be amended by:

i. deleting Section 11.(1)(iia) in its entirety; and

ii. adding thereto the following subsection:

PRIOR EXISTING USES

(9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

(i) A Townhouse Dwelling subject to the "RT-20" District provisions;

(ii) A Maisonette Dwelling subject to the "RT-20" District provisions;

(iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(f) That the "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 be amended by:

i. deleting Section 11B.(1)(v) in its entirety; and

ii. adding thereto the following subsection:

PRIOR EXISTING USES

(9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

(i) A Townhouse Dwelling subject to the "RT-20" District provisions;

(ii) A Maisonette Dwelling subject to the "RT-20" District provisions;

(iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "PRIOR EXISTING USE".

(g) That the "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 be amended by adding thereto the following subsection:

PRIOR EXISTING USES

(7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the By-law shall be permitted:

(i) A Townhouse Dwelling subject to the "RT-10" District provisions;

(ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.

(8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "PRIOR EXISTING USE".

(h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,

(i) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area. REFERRED BACK.

Recorded vote on referral.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Merling, D'Amico, Ross. -10.

NAYS: Aldermen McCulloch, Wilson, Charters, Jackson, Anderson. -5. CARRIED.

5. (a) That City Council request Regional Council to support Amendment No. 80 to the City of Hamilton Official Plan as approved by City Council at its meeting of 1992 August 25, attached hereto as Appendix "E", in its entirety, and;
- (b) That Regional Council also be requested to deem the objections of the Harbour Commission as frivolous.

6. That representatives of City Council, the Planning and Development Committee, and City staff arrange a meeting with the Minister of Housing to discuss the financing of housing rehabilitation programmes from funds accumulated under the Ontario Home Renewal Programme Trust Account.
7.
 - (a) That the concept of Hughson Street as a major pedestrian thoroughfare, as outlined in John Mokrycke's Guidelines for an Integrated Central Business District Focus Area (See Appendix "F") be endorsed in principle;
 - (b) That an implementation plan for this concept be developed by the Public Works Department, Planning and Development Department and other relevant Departments.
 - (c) That the Planning and Development Department be directed to review the development of +15 links from Jackson Square and the Convention Centre to Gore Park in consultation with CAPIC and the Urban Design Committee;
 - (d) That the review of the Corktown and Beasley Neighbourhood Plans include the identification of those areas within the Focus Area that are appropriate for mixed residential/commercial development;
 - (e) That the Ferguson Avenue Redevelopment Advisory Committee, the Beasley Neighbourhood Plan Review Team, and the Corktown Neighbourhood Plan Review Team be directed to identify specific bicycle routes within their respective study areas;
 - (f) That the development of a public plaza on Hunter Street, in front of the GO Station, be referred to the GO Station Area Study for detailed review;
 - (g) That the Parks Staff Advisory Committee be directed to review the feasibility of the installation of fountains at Hughson Street and Hunter Street and Hughson and King William Street and report to the Parks and Recreation Committee and the Planning and Development Committee;
 - (h) That the City continue to act as a facilitator only with respect to the provision of public art (i.e. murals on building faces) for private buildings;

- (i) That no action be taken on the recommendation to permit on-street loading in the Focus Area;
 - (j) That the Barrier Free Design Committee be directed to review the accessibility of the Focus Area;
 - (k) That the proposed development concept respecting building heights and setbacks, attached as Appendix "G", be adopted as guidelines for redevelopment of the Focus Area;
 - (l) That the Urban Design Committee be directed to review lighting standards in the Focus Area;
 - (m) That no action be taken on the recommendation to prepare a study of signage in the Focus Area.
8. That staff be authorized to defer the expenditure of \$458,000. from the Commercial Improvement Program pending the outcome of the Capital Budget deliberations resulting from the anticipated reduction in Provincial transfer payments.
REFERRED BACK.
9. (a) That approval be given to the "Intent to Designate" Barton Stone United Church Cemetery at 21 Stone Church Road West as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983 as outlined in the Reasons for Designation attached hereto and marked as Appendix "H".
- (b) That the City Solicitor be authorized as directed to take appropriate action to have this property designated pursuant to the provision of the Ontario Heritage Act, 1983.
10. That the Mayor and City Clerk be authorized to execute the necessary documents to release the property at 35 Milburn Road, Hamilton from the construction covenants to the City as contained in City Deed 289503 A.B. registered on April 25, 1973.

11. That the City of Hamilton accept the sum of \$22,400. as a cash payment in lieu of the 5% land dedication in connection with Wisemount Estates - Phase 3, Hamilton, located in the Lisgar Neighbourhood, west of Upper Kenilworth Avenue, between Landron Avenue and Limeridge Road East, being the cash payment required under Section 51 of the Planning Act.
12.
 - (a) That the Building Commissioner be authorized to call tenders and subsequently proceed to have the building located at 275 Bay Street North demolished to bring the subject property into compliance with the City of Hamilton Property Standards By-law 74-74, as amended, and specifically to do the work required to comply with the final and binding Order.
 - (b) That the appropriate by-law be enacted by Council.
13. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, four hundred and fifty six (\$1,456.) be approved for Sharon Goupil, 210 MacNab Street North, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
14.
 - (a) That the fixed interest rate under the Community Heritage Trust Fund Loan Programme be reduced from six percent (6%) to one-half (1/2) of the City's prime lending rate.
 - (b) That the applicant be charged a flat fee of \$200. per application or 1 1/2% of the loan amount, whichever is greater, to help offset the administrative costs of the Programme. The administrative fee will be eligible for funding under the Programme. The new loans will be amortized over ten years but renegotiated after five years in order to reflect the interest rate of the day.
 - (c) That the City Solicitor be directed to amend By-law 85-120 in order to reflect City Council's approval of these changes.
15. That the Building Commissioner be authorized to issue demolition permits for:
 - (a) 765 West 5th Street
 - (b) 1086 West 5th Street

- (c) 1090 Upper James Street
 - (d) 1094 Upper James Street
 - (e) 1445 Upper Sherman Avenue
 - (f) 31 Argyle Street
 - (g) 1889 Main Street East
16. (a) That the request of 800064 Ontario Inc., to remove part-lot control from Lots 1-16, inclusive, "Claudette Gardens - Phase 3" plan of subdivision, 62M-734, be approved;
- (b) That the attached by-law to remove part-lot control from Lots 1-16, inclusive, "Claudette Gardens - Phase 3" plan of subdivision, be enacted by Council;
- (c) That the following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs) be requested to grant approval to the by-law and endorse the same on the by-law; and
- (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.
17. That approval be given to application CDM-CONV-H-9301, Kestutis Draudvila, in trust, owner, to establish a draft plan of condominium in the north-east corner of Main Street East and Wentworth Street South, subject to the following conditions:
- (a) This approval applies to the plan prepared by A.T. McLaren dated February 3, 1993, showing a total of 21 residential units.
 - (b) The owner entering into an Encroachment Agreement with the Regional Municipality of Hamilton-Wentworth to the satisfaction of the Commissioner of Transportation/Environmental Services Group prior to the release of the final plan by the Region.

- (c) The owner receive the Certificate of Approval from the City of Hamilton pursuant to the Rental Housing Protection Act for the conversion of the rental property to a condominium.

18. That Regional Council be advised that the proposed Amendment to the Hamilton-Wentworth Official Plan to permit the "Canuck 750" Sports Coliseum does not conflict with the planning intentions of the City of Hamilton.

19. That the following citizens be appointed to the Central/Beasley Neighbourhood Plan Review Team:

<u>Name</u>	<u>Representing</u>
Mary Pocius	International Village BIA; CAPIC
Greg Gouthreau	Downtown BIA
Pat Bramwell	Ferguson Avenue Redevelopment Advisory Committee
Ken Hastings	Beasley Neighbourhood Association
Jerry Sherman	James Street North Business
Jane Rigby	Central/Beasley P.R.I.D.E. H.I.N.T.
Fred Vermeulen	Hess Village Merchants
Harry Perrell	Beasley Neighbourhood
Jackie Gordon	Beasley Neighbourhood
James C. Drake	Beasley Neighbourhood
Helen Kirkpatrick	Central Neighbourhood
Ann Vaugeois	Central Neighbourhood

20. That leave be granted to introduce the following Bills:

- (a) C-48 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1157 Rymal Road East
- (b) C-49 By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 29 Severn Street
- (c) C-50 By-law to Adopt Official Plan Amendment No. 121 respecting lands located at Municipal Nos. 1010-1024 Upper Wentworth Street, within the Bruleville Neighbourhood

(d) C-51 By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 1010-1024 Upper Wentworth Street

(e) C-52 By-law to amend Zoning By-law No. 6593 respecting Townhouses in Multiple Dwelling Districts. REFERRED BACK.

Recorded vote

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Agostino, Merling, D'Amico, Ross. -10.

NAYS: Aldermen McCulloch, Wilson, Charters, Jackson, Anderson. -5.

(f) C-53 By-law to amend By-law No. 93-032 respecting Planning Fees

(g) C-54 By-law to authorize demolition and clearing of buildings, structures, debris or refuse at 275 Bay Street North

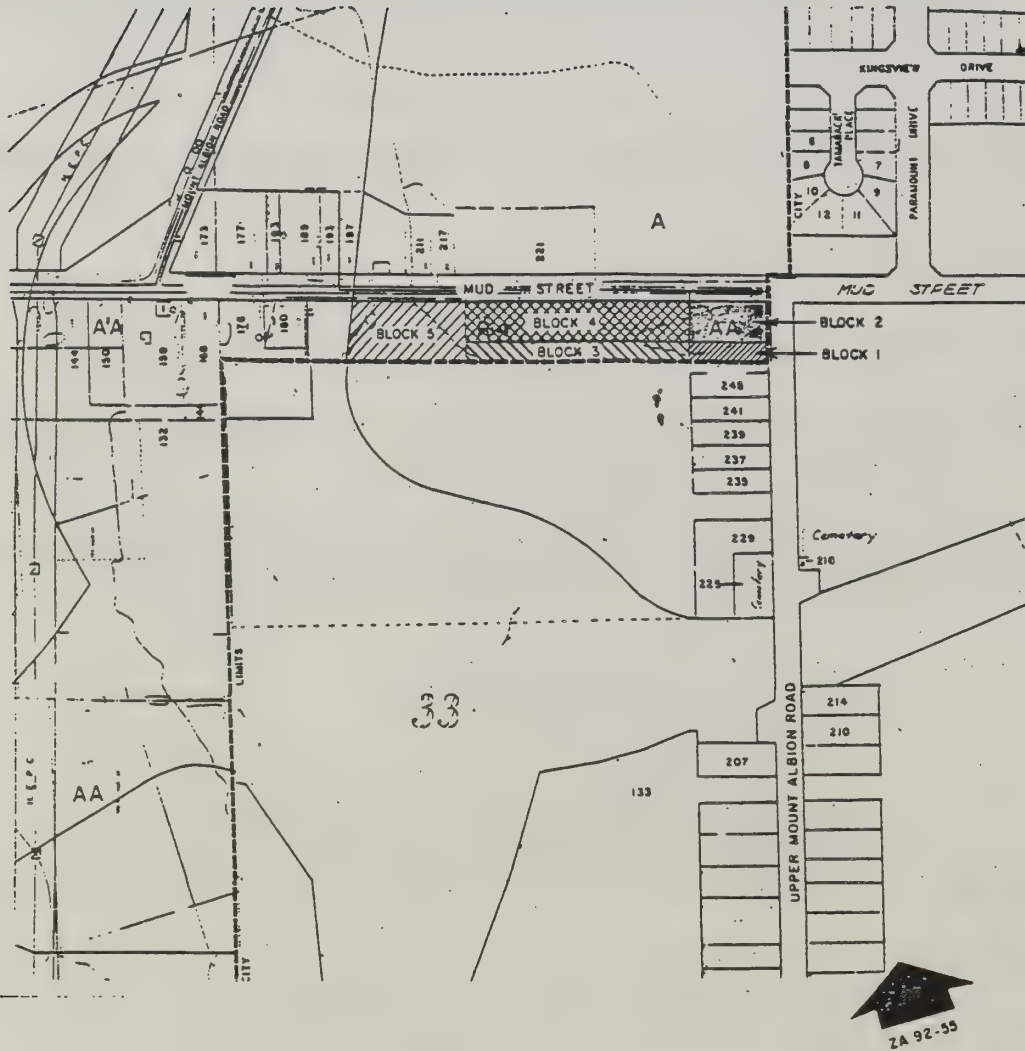
(h) C-55 By-law to remove land within the Claudette Gardens, Phase 3 Subdivision, Plan 62M-734 from Part Lot Control.

RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1993 June 23

Appendix "A" as referred to
in Section 1 of the ELEVENTH
Report of the Planning and
Development Committee for
1993

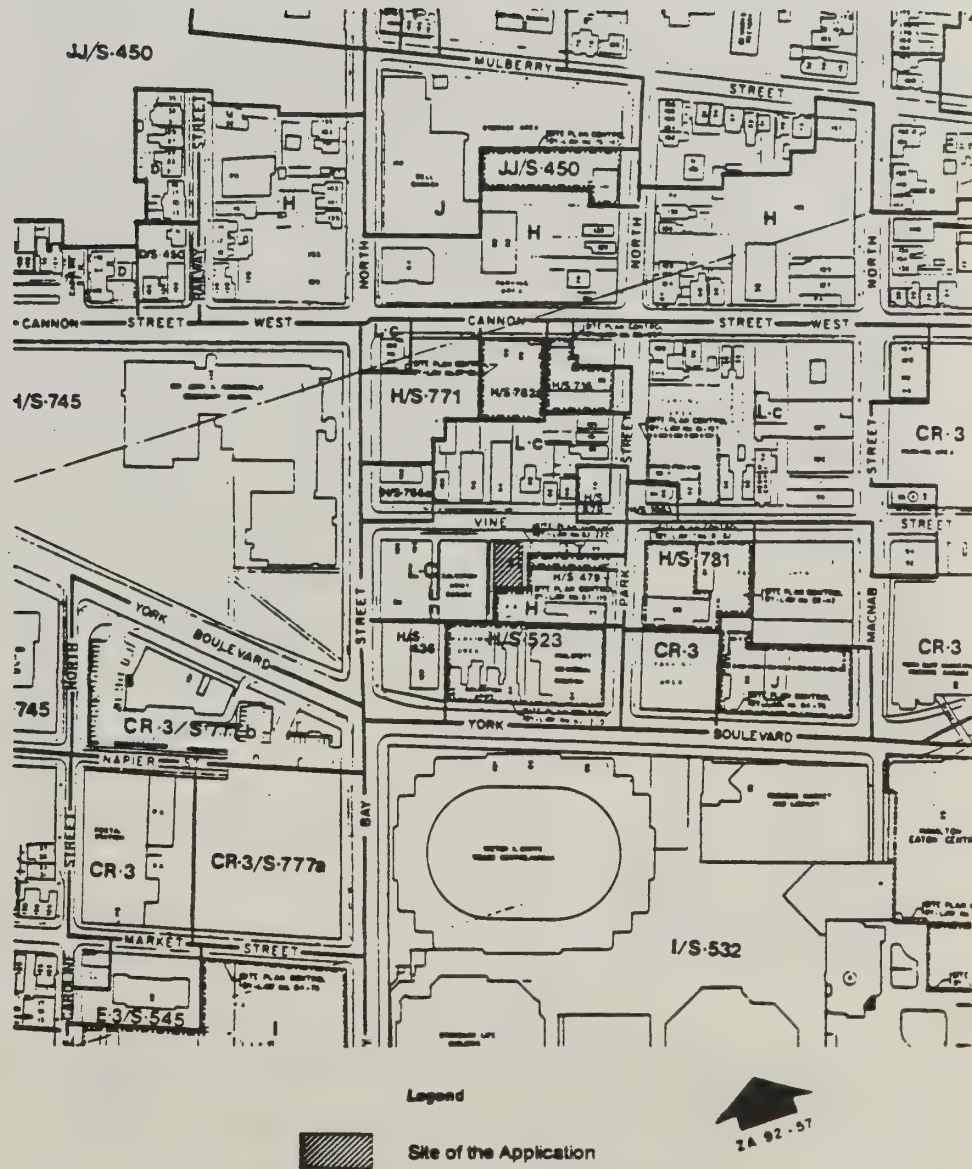


LEGEND

Proposed change in zoning from:

- BLOCK 1  'AA' (Agricultural) District to 'C' - 'H' (Urban Protected Residential, etc. - Holding) District.
- BLOCK 2  'AA' (Agricultural) District to 'RT-30' - 'H' (Street Townhouse - Holding) District.
- BLOCK 3  'R-4' (Small Lot Single-Family Detached) District to 'RT-20' - 'H' (Townhouse - Maisonette - Holding) District.
- BLOCK 4  'R-4' (Small Lot Single-Family Detached) District to 'RT-30' - 'H' (Street Townhouse - Holding) District.
- BLOCK 5  'R-4' (Small Lot Single-Family Detached) District to 'DE-3' - 'H' (Multiple Dwellings - Holding) District.

Appendix "B" as referred to
in Section 2 of the ELEVENTH
Report of the Planning and
Development Committee for
1993



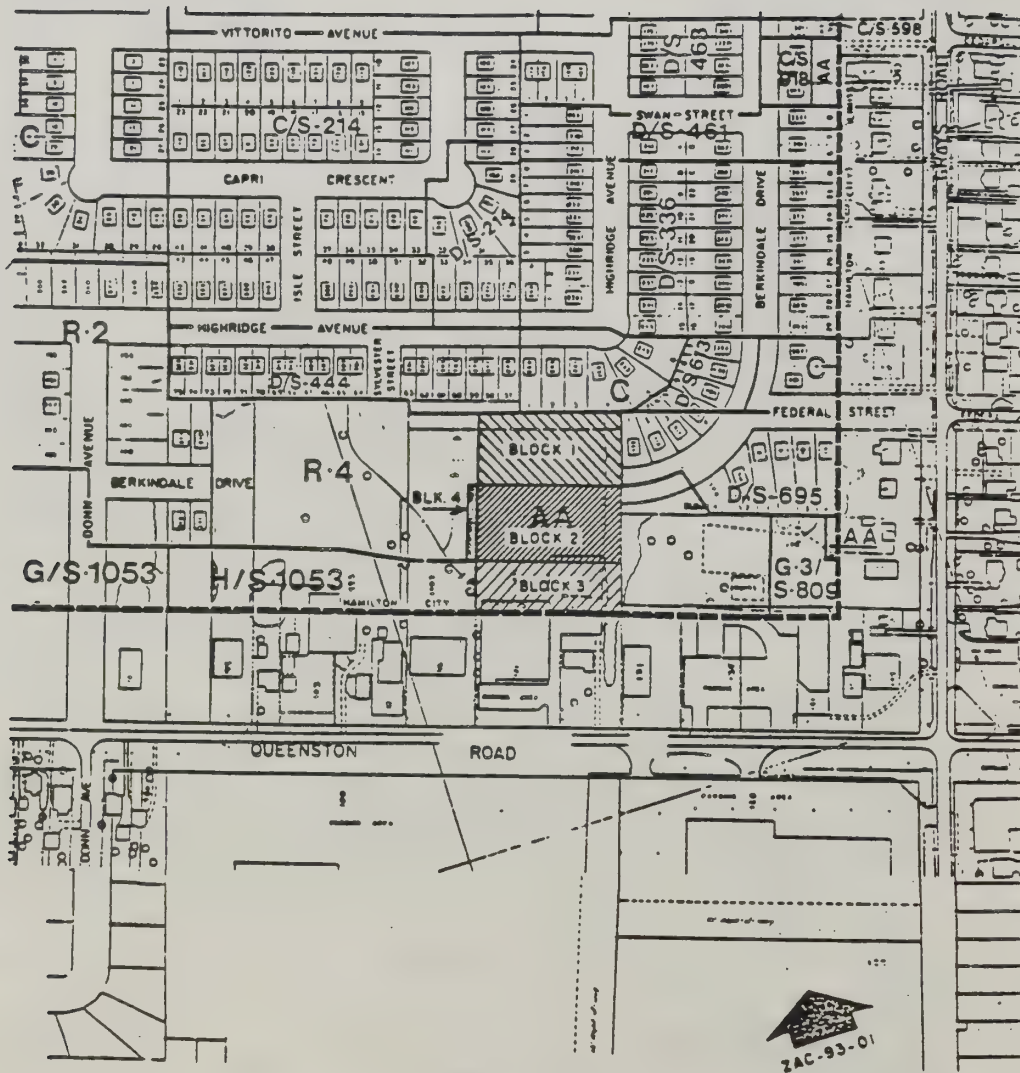
Legend



Site of the Application

1993 June 29

Appendix "C" as referred to
in Section 3A. of the ELEVENTH
Report of the Planning and
Development Committee for
1993



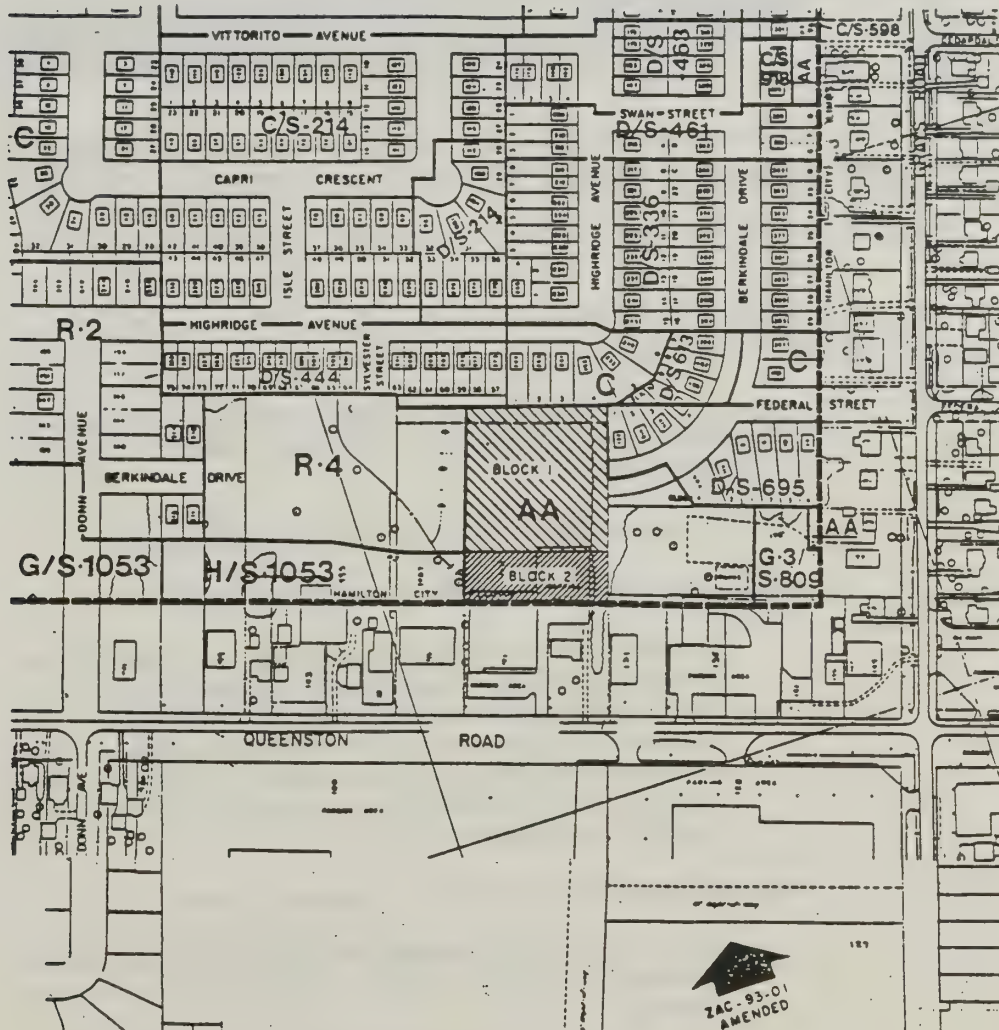
Legend

Proposed Change in Zoning From:

- | | | |
|---------|---|---|
| BLOCK 1 |  | 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District. |
| BLOCK 2 |  | 'AA' (Agricultural) District to 'RT-30' (Street Townhouse) District. |
| BLOCK 3 |  | 'AA' (Agricultural) District to 'H' (Community Shopping and Commercial, etc.) District. |
| BLOCK 4 |  | 'R-4' (Small Lot Single-Family Detached) District to 'RT-30' (Street Townhouse) District. |

1993 June 29

Appendix "D" as referred to
in Section 3B of the ELEVENTH
Report of the Planning and
Development Committee for
1993



Legend

Proposed change in zoning from:

- | | | |
|---------|---|---|
| BLOCK 1 |  | "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District. |
| BLOCK 2 |  | "AA" (Agricultural) District to "H" (Community Shopping and Commercial, etc.) District, modified. |

1993 June 29

Appendix "E" as referred to
in Section 5 of the ELEVENTH
Report of the Planning and
Development Committee for
1993



City of
HAMILTON

Subjoined is a certified true copy of Item 21 of the FIFTEENTH Report of the Planning and Development Committee as adopted by City Council at its meeting held 1992 August 25.

21. A. That the City Clerk be directed to advise Hamilton-Wentworth Region that the City of Hamilton:

(a) endorses the modifications to Official Plan Amendment No. 80 to the City's Official Plan as proposed by the Region (Appendix "B") except for Modification No. 9;

(b) requests that Modification No. 9 be further modified as follows:

delete Clause (ii) of Policy C.4.9 and replace with:

"ensure that, where remedial actions plans are required by the Ministry of the Environment, no development will take place until notification is received from the Ministry that the decommissioning process has been satisfactorily completed. In this regard, Council will utilize means such as Site Plan Approval, the "H" (Holding zone provisions), etc., as a means to prohibit development;"

(c) requests a new Modification 14 be introduced as follows:

Item 19 be modified by deleting the preamble of Subsection 5 - General Land Use Provisions and replacing it with the following:

"It is the general intent of this Official Plan that all planning and development both public and private, within the City of Hamilton will be undertaken in compliance with the policies of this Plan. However, there are exceptions, where the operation of government, associated public bodies and institutions that are permitted "as-of-right", or without locational restriction throughout the City, with the exception of lands designated Escarpment Natural Area or Escarpment Protection Area as shown on Schedule "B" as Special Policy Area "1A" and "1B" wherein such uses must be in accordance with the Permitted

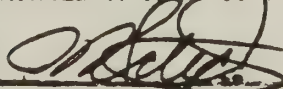


1993 June 29

Uses as set out in Section A.2.9.1 and the Development Criteria of the Niagara Escarpment Plan. In addition, there are certain uses which are not acceptable within the City due to the danger they may pose to persons and/or property and therefore should be prohibited throughout the City."

- (d) the modifications and land use changes as proposed by the Hamilton Harbour Commissioners' in their letter of 1992 May 27 (Appendix "C") cannot be supported.
- B. The City Clerk be requested to forward a copy of this report to the Region and the Ministry of Natural Resources for their information.

CERTIFIED A TRUE COPY


CITY CLERK

1993 June 29

Appendix "B" as referred
to in Section 21A(a) of the
Fifteenth Report of the
Planning and Development
Committee for 1992

PROPOSED MODIFICATIONS TO AMENDMENT NO. 80 TO THE CITY OF HAMILTON OFFICIAL PLAN
(Revised 29 May 1992 to incorporate comments received as a result of circulation)

Modification 1

Subsection A2.7.2 - Utility Uses, be revised as follows:

- i) delete Policy A2.7.2; and,
- ii) renumber the other policies in the Subsection accordingly.

Modification 2

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A2.11 - Shipping and Navigation, to read:

***A2.11 - SHIPPING AND NAVIGATION**

It is the general intent of this Plan to recognize the role of the Harbour in the economy of the City and in particular, the activities of the Hamilton Harbour Commissioners in carrying out their activities of SHIPPING AND NAVIGATION.

2.11.1 The primary permitted uses in the areas designated on Schedule "A" as SHIPPING AND NAVIGATION will be for shipping terminals; marine freight; passenger handling facilities; related storage, vessel and barge docks; and other uses related to SHIPPING AND NAVIGATION."

Modification 3

Subsection A3.2 - Environmentally Sensitive Areas, be revised by:

- i) adding to Policy A3.2.3, the words "...within or adjacent to lands..." after the words "...Where development or redevelopment is proposed on lands..." to read:

***A3.2.3** Where development or redevelopment is proposed on lands within or adjacent to lands designated ENVIRONMENTALLY SENSITIVE AREAS, Council will consider..."

- ii) adding a new clause (iv) to Policy A3.2.3 to read:

(iv) In the case of Van Wagner's Marsh and Cootes Paradise, the Feasibility Study and Impact Analysis must make specific reference, in consultation with the Ministry of Natural Resources, to the criteria employed in the selection of these Provincially significant features. It must demonstrate that the development is compatible with long term maintenance of the Provincially significant features, in accordance with Provincial direction."

Modification 4

Subsection A3.2 - Environmentally Sensitive Areas, be revised to add a new Policy A3.2.10 to read:

***A3.2.10** Cootes Paradise and Van Wagner's Marsh are Provincially Significant Wetlands. In addition, Cootes Paradise is a Provincially Significant Area of Natural and Scientific Interest. Council recognizes the Provincial significance of these

features and supports their protection in the long term."

Modification 5

Section A - Land Use and Management Strategy, be revised by adding a new Subsection A.3.5 - Land Fill Constraint Areas, to read:

"Landfill Constraint Areas are those lands which are known former municipal or industrial waste disposal sites. If effective control measures have not been implemented at the site, then methane gas and leachate can migrate laterally from the perimeter of the site. Methane gas and leachate can be generated in quantities and concentrations which can pose a risk to property and human health and safety. It is therefore appropriate to include policies to ensure due caution is exercised in the development/redevelopment of affected lands. Further, the Environmental Protection Act requires that approval for any use of a waste disposal site within 25 years of its closure be obtained in writing from the Minister of the Environment.

3.5.1 Where development is proposed within 500 metres of lands shown as "Land Fill Constraint Areas" on Schedule "T":

- (a) the City, the Region and the Ministry of the Environment will be consulted regarding actions necessary to identify and mitigate any potential adverse environmental effects; and,
- (b) to facilitate a recommendation by the Ministry of the Environment to the approving authority, evidence, will be provided to the City and to the Ministry that such development, including the construction of buildings, structures, and underground utilities and services, as well as hard surface paving, can safely take place.

3.5.2 No uses, except those approved by the City, and in writing by the Minister of the Environment pursuant to the Environmental Protection Act, as amended, will be permitted on lands used for waste disposal purposes within 25 years of termination of such use."

Modification 6

Item 18 be modified to revise Policy 5.1 by adding the word "generally" after the words "land use compatibility" to read:

"5.1 Notwithstanding SECTIONS A, B AND C of this Plan, the following uses will be permitted within all land use designations provided that land use compatibility is generally maintained and it is keeping with the intent of the development standards set out in this Plan."

Modification 7

Item 18 be modified to revise clause (ii) of Policy A 5.1 to read:

- "(ii) bona fide shipping and navigation by the Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the Federal Government, or the Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping and navigation matters in accordance with Subsection D.8."

Modification 8

Subsection B.3.2 - Public Transit, be revised by adding the words "in accordance with the policies established by the Region" after the words "... locate TRANSIT stops" to read:

"B.3.2.8 In the preparation of Neighbourhood Plans, Council will encourage and cooperate with the Region's Transportation Department to locate TRANSIT stops in accordance with the policies established by the Region. Where possible and feasible, transit stops will be located in close proximity to passenger generators. Furthermore, Council with support, where practicable, the integration of those stops with pedestrian crosswalks."

Modification 9

Section C - Amenity and Design Strategy, be revised to add a new policy 4.9 to Subsection C.4 - Pollution, to read:

"4.9 Council recognizes the Ministry of the Environment's concerns regarding the potential for contamination of soils and supports its efforts for the decommissioning of such sites. Accordingly, where the development/redevelopment is proposed for lands currently or previously known to be used for industrial, transportation or utility purposes Council will, in the consideration of an amendment application to this Plan and/or the implementing zoning by-law:

- (i) require the proponents to submit to the Ministry of the Environment, in accordance with that Ministry's requirements, a professional analysis of soils on the site determining the presence, type(s) and concentration of contaminants which may be hazardous to the environment and/or to human health as a prerequisite of development or redevelopment. Determination of contaminants for which analysis will be conducted will be based upon all present and previous uses of the site;

If the analysis identifies the presence of contaminants at concentrations above background levels, the Ministry will require the proponent to formulate and implement a remedial action plan in accordance with the Ministry's Guidelines for the Decommissioning and Clean-up of Sites in Ontario, (as may be amended.) This plan will be submitted to the Ministry for approval;

- (ii) defer applications to rezoning and/or Official Plan amendments until notification is received from the Ministry that the decommissioning process has been satisfactorily completed, in cases where remedial action plans have been required; and,
- (iii) require, in accordance with Ministry requirements, the proponent to submit documentation on previous uses of the property with the application for development/redevelopment to the City for circulation to the Ministry."

Modification 10

Section D.8 - Interpretation, be revised to add a new Subsection D.8.6, as follows:

"D.8.6 Nothing in this Plan shall be interpreted to mean that an undertaking which is subject to the Environmental Assessment Act may proceed except in compliance with that Act. The City will not give any licence, permit or approval that may lead to the commencement of any such undertaking until it has been approved or exempted under the Environmental Assessment Act."

Modification 11

Schedule "A" - Land Use Concept of the Official Plan Amendment No. 80 be revised by:

- i) adding a new designation "Shipping and Navigation" to the legend; and,
- ii) redesignating Piers 10 to 14 and Piers 25 to 27 from "Utilities" to "Shipping and Navigation".

Modification 12

Introduce a new Schedule "T" - Land Fill Constraint Areas, to the Hamilton Official Plan

Modification 13

Renumber the items of Official Plan Amendment No. 80 accordingly.

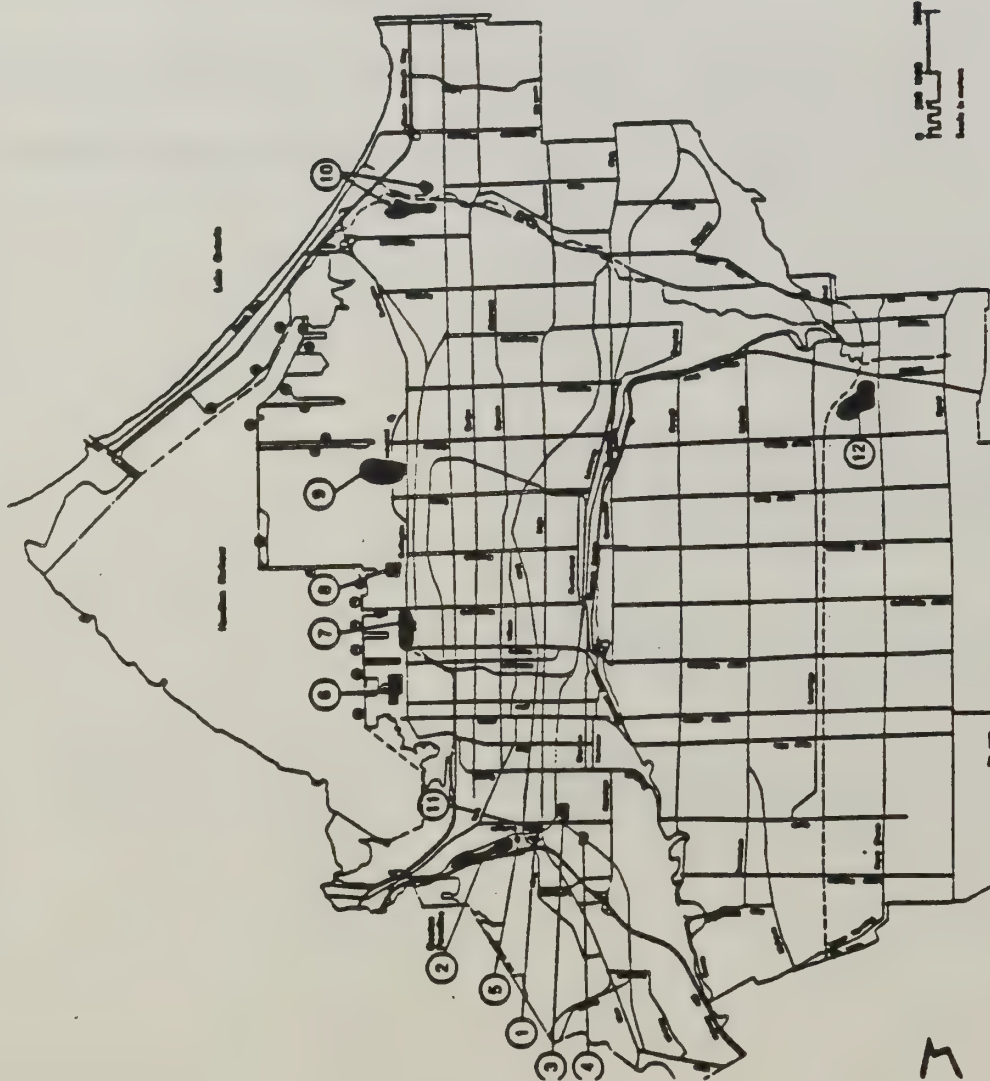
landfill constraint areas

legend

- ① King St/Basilica
- ② Key Dredge Park
- ③ Hill Street Yard
- ④ Chatham/Fild
- ⑤ King/C/P
- ⑥ Eastwood Park
- ⑦ Burlington/Victoria/Wentworth
- ⑧ Burlington/Birch
- ⑨ Burlington/Dapew
- ⑩ Brampton/Wentworth
- ⑪ Main/Dundum
- ⑫ Upper Ottawa Landfill St.

schedule 1

to the official plan
for
the City of Hamilton
December, 1991



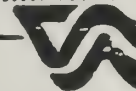
1993 June 29

805 James St. N.
Hamilton, Ontario, Canada
L8L 1K1

Hamilton 525-4330
Toronto 1-800-263-2131
Tele: 061-8638

Fax Numbers
Administration 525-62
Terminal 525-7258

Appendix "C" as referred
to in Section 21A(d) of the
Fifteenth Report of the
Planning and Development
Committee for 1992



The Hamilton
Harbour
Commissioners

CONFIDENTIAL & WITHOUT PREJUDICE

May 27, 1992

The Regional Municipality of Hamilton - Wentworth
P. O. Box 910
Hamilton, Ontario
L8N 3V9

Attention: Mr. A. L. Georgieff, MCIP

Dear Sir,

SUBJECT: Proposed Modifications to Official Plan Amendment No. 80,
City of Hamilton

The above referenced has been reviewed by The Hamilton Harbour Commissioners and we submit the following comments and recommended changes for your consideration.

It is the view of the Commissioners that should the recommendations as set out herein be incorporated by the Region many of the long-standing planning disputes between the City and the Commissioners will be resolved. Moreover, acceptance will also permit the Commissioners to withdraw many of the appeals that we have filed against zoning by-law amendments.

As had been previously set out to the City in previous correspondence, we had anticipated that the Major Five-Year Review to the City's Official Plan would have resulted in more than just housekeeping measures. The latest proposals for modifications to the Plan are an improvement over the initial proposal, however we feel that additional policies relating to the Port of Hamilton are warranted.

The proposal that we have provided will assist in providing the much needed certainty and predictability for long-term economic growth in the Port and the region. The attached Appendix 1 - "An Overview of the Benefits of the Port of Hamilton" - provides a basis for the incorporation of appropriate policies in the Official Plan which will in turn assist in establishing the atmosphere for growth and prosperity. Our proposal will only serve to benefit and sustain this growth, while continuing to be consistent with the judgement set down by Mr. Justice Griffiths. In this regard, we believe that Mr. Justice Griffiths was very clear in confirming the role of the Harbour Commissioners in port planning. For example, in Hamilton Harbour Commissioners v. City of Hamilton (1978), 91 D.L.R. (3d) 353, page 366, Mr. Justice Griffiths concluded:

If a port is to remain competitive, it must have sufficient flexibility to adapt its land uses to all the changing needs. If its harbour is to survive, a harbour authority must have complete and absolute control over the harbour and surrounding lands to enable it to develop to its full potential.

The following are our specific comments relating to the proposed modifications dated March 13, 1992:-

Modification 1

We concur.

Modification 2

The intent of this modification is positive, however in our view does not go far enough to fully address the importance, role and function of the Port. We propose the following:-

***A.2.11 - SHIPPING, NAVIGATION AND PORT DEVELOPMENT**

Council recognizes that the Port is an integral and important element to the social and economic fabric of the City and surrounding region and accordingly, it is the general intent of this Plan to recognize the role of the Port in this respect and in particular, the activities of The Hamilton Harbour Commissioners in carrying out their mandate of Shipping, Navigation and Port Development.

- 2.1.11 The primary permitted uses in the areas designated on Schedule 'A' as Shipping, Navigation and Port Development shall include, but not be limited to the following uses: uses which relate to the movement, management, safety and convenience of ships; uses involving the carriage of goods or passengers to other modes of transportation; related storage and processing; vessel and barge docks; industry and commerce related or complementary to, or necessary to the port; recreational boat facilities; and, the provision of services such as security, employment, immigration, labour, administration, technical, food, fuel, and maintenance."

We feel that like other land uses in the municipality, the Shipping, Navigation and Port Development land uses should also be protected from adjacent, potentially conflicting land uses. Accordingly, the following policy is proposed which is similar to that found in the Industrial Uses land use designation in the Official Plan:

- "2.1.12 Council shall ensure that other land uses which are proposed and which abut the areas designated on Schedule 'A' as Shipping, Navigation and Port Development are compatible with those uses set out in policy 2.1.11 and will protect the uses set out in policy 2.1.11 from other uses or other adverse impacts through the provision of adequate separation, screening, barriers, fencing and landscaping or other like measures."

We believe that the Shipping, Navigation and Port Development designation should also be afforded the same policies as that found in other designations in the Official Plan respecting the provision of public services (policy 2.2.29, for example). We therefore, propose the following policy:

- "2.1.13 In order to enhance the viability of the Shipping, Navigation and Port Development designation, Council, where feasible and deemed appropriate, shall encourage and assist in the establishment and/or maintenance of the Port through the provision of highways, arterial roads, rail and public transit services."

Modification 3

No comment.

Modification 4

No comment.

Modification 5

At the outset, we are very concerned and disappointed that the land use designation and associated policies of Landfill Constraint Areas have been developed and proposed as part of modifications, and not as an amendment, without any consultation with The Hamilton Harbour Commissioners or the public. From a planning perspective, we are very surprised that no public meeting or other form of public consultation is proposed.

From our discussions and meeting with staff of the Ministry of the Environment, we understand that no technical reviews or investigations have been completed to determine the age, actual extent, contents, potential impacts, if any, and even existence of the identified landfill areas. We understand that the areas were identified by university students and through conversations with Regional and City staff.

Consequently, it is our position that prior to the designation of lands and surrounding areas, detailed field studies and research must be undertaken to verify the above information.

We are also concerned that the placement of the designation on lands of the Harbour Commissioners may lead to confusion given the various levels of government involved. In this respect, we request that the 500 metre zone be illustrated only on lands not owned by The Hamilton Harbour Commissioners since the Commissioners have their own internal procedures for the assessment, evaluation and screening of developments, capital works or changes in use. This code of practice is consistent with and will follow any and all applicable federal legislation and guidelines.

In summary, detailed investigations should first be completed. If the results demonstrate a need for further action, public consultation should occur. This consultation should ensure that any official plan amendments are co-ordinated with and take into account actions and plans of The Hamilton Harbour Commissioners with respect to these lands.

Modification 6

No comment.

Modification 7

This proposed modification is of some value, however the term bona fide should not be used since it will undoubtedly only lead to confusion as to what is bona fide shipping and navigation and what is not. We propose the following:

- "iii) shipping, navigation and port development uses by The Hamilton Harbour Commissioners, without purporting to limit the jurisdiction of the Parliament of Canada, the federal government, or The Hamilton Harbour Commissioners acting within the scope of the lawful jurisdiction in respect of shipping, navigation and port development matters in accordance with subsection D.8."

Modification 8

No comment.

Modification 9

No comment.

Modification 10

- i) The new designation should read "Shipping, Navigation and Port Development";
- ii) We have previously advised the Region and the City that the "Open Space" land use designation on Pier 8 is totally inappropriate since the Commissioners have no intent of using the terminal facility for anything but a shipping terminal within the planning horizon of the official plan. The "Open Space" designation does not recognize the investment and the current viable and successful use of the site, nor does it recognize the orderly development of shipping, navigation and port development activities.
- iii) Pier 24 and the Windermere Basin area should also be redesignated to "Shipping, Navigation and Port Development" since they are either now or will soon be part of viable shipping and port development components of The Hamilton Harbour Commissioners.
- iv) Finally, if any area of the port should be designated as "Shipping, Navigation and Port Development", it should be the open waters of the harbour. The harbour itself is used only for shipping and navigation uses and is fully under the ownership and control of The Hamilton Harbour Commissioners. Moreover, the reference in policy A.2.5.1 of the Official Plan to Ontario Regulation 118/70, as amended, is no longer applicable to the placement of fill materials in the Harbour. In Regina v. Hamilton Harbour Commission, June 10, 1977, Provincial Judge Ross Bennett on page 8 determined that:

"the legislation referred to in the Information is ultra vires in the Hamilton Regional Conservation Authority (sic) and the Province of Ontario, so far as it relates to that area described in schedule five of the regulations."

Modification 11

✓ See comments under the heading 'Modification 5'.

Modification 12

No comment.

Other Comments

We recommend that Policy D.8.4 be deleted and replaced with the following policy:

"D.8.4 This Plan does not prohibit or otherwise attempt to regulate the use of land or Hamilton Harbour by The Hamilton Harbour Commissioners for shipping, navigation or port development purposes, as provided herein."

We recommend that Policy D.8.5 be amended by deleting the word bona fide and adding the words "and port development uses" after the word navigation since, as previously noted, the term bona fide will only lead to confusion and interpretation problems during the implementation of the official plan.

Should you wish to meet to discuss our comments and recommendations, please contact us at your convenience.

Yours very truly,

THE HAMILTON HARBOUR COMMISSIONERS


J. BROOKFIELD
PORT PLANNER

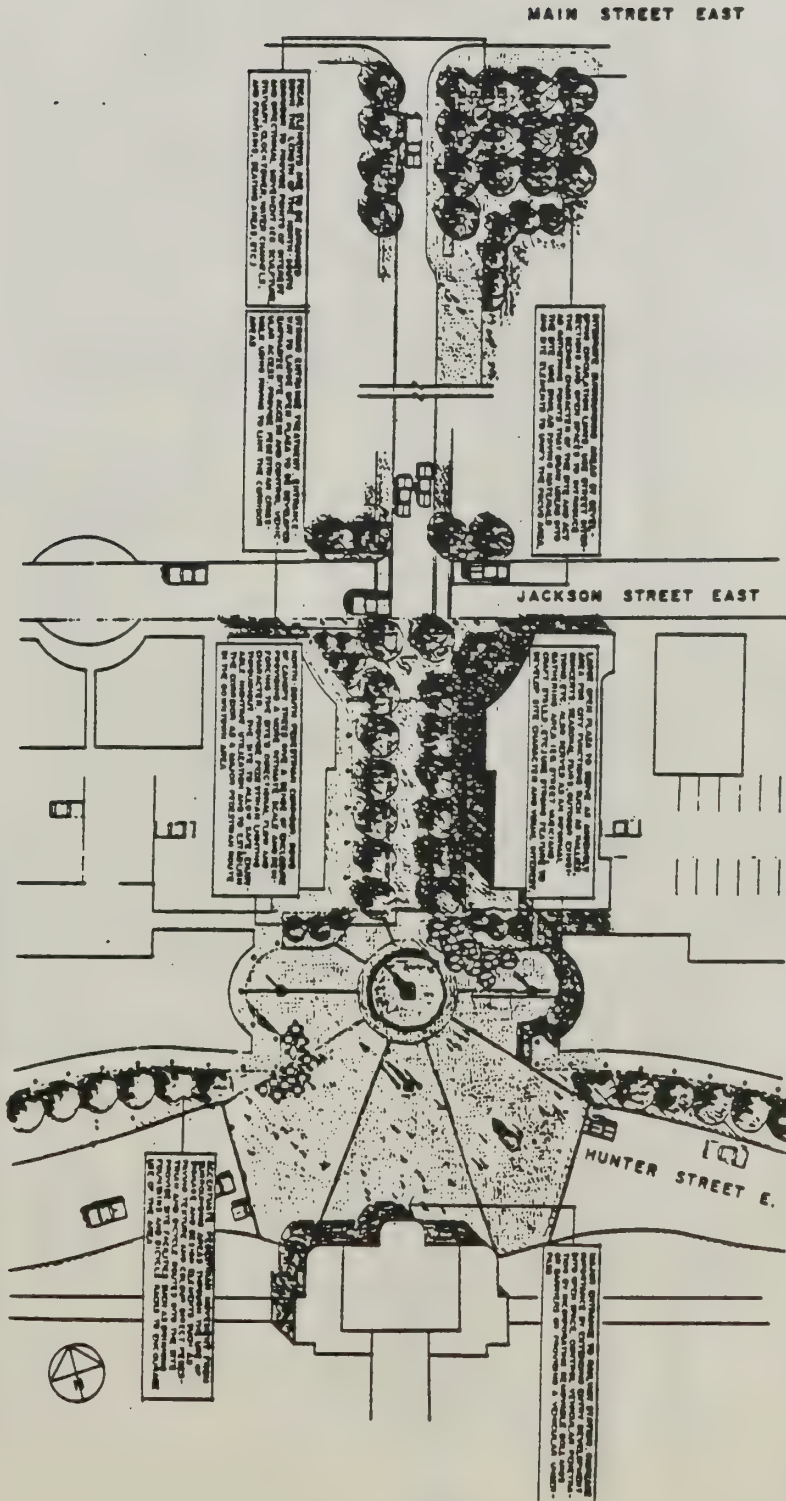
Enclosure

cc: Mr. Stanley Makuch
 Borden & Elliot
 Barristers and Solicitors

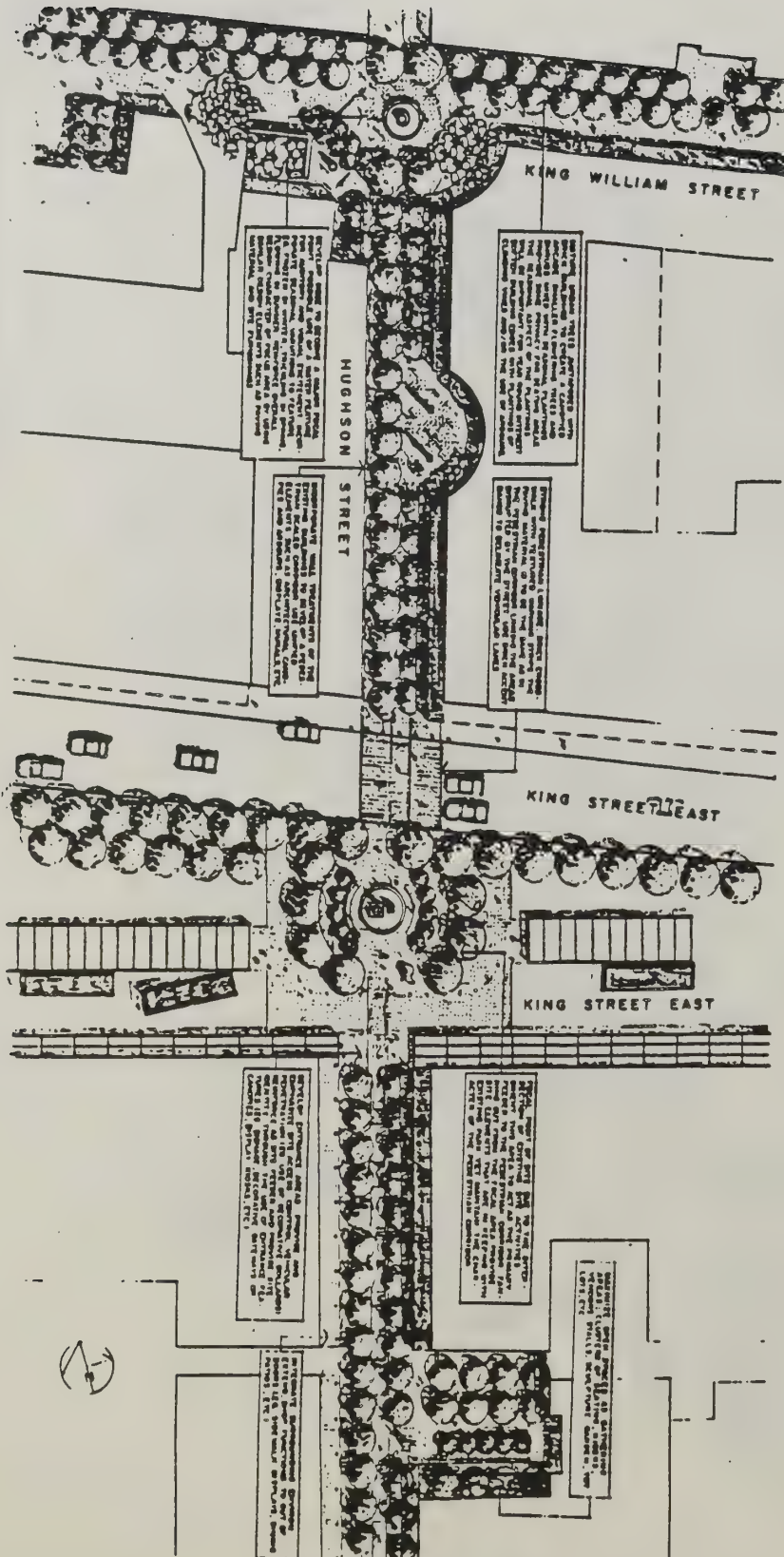
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Appendix "F" as referred to
in Section 7a of the **ELEVENTH**
Report of the Planning and
Development Committee for
1993

DESIGN GUIDELINES FOR
STREETSCAPING - PLAN A



DESIGN GUIDELINES FOR
STREETSCAPING - PLAN B



[illegible]

1993 June 29

Appendix "H" as referred to
in Section 9 of the ELEVENTH
Report of the Planning and
Development Committee for
1993

REASONS FOR DESIGNATION

Barton Stone United Church Cemetery

21 Stone Church Road West

The cemetery located to the south of Barton Stone United Church, on Upper James, was opened in 1847, when the church itself was completed. The cemetery and church together constitute one of the most noteworthy historic landmarks on Hamilton's Mountain and serve as a tangible reminder of the rural character of Barton Township, which is rapidly disappearing in the wake of urban development. The green open space of the cemetery, with its peaceful atmosphere, stone grave markers of varying design and size, and several trees, complements the adjacent stone church building.

The church and cemetery were once set further back from Upper James (originally the Caledonia Road), with a low stone wall running along the eastern and northern borders of the one-acre property. When this wall was removed in recent years due to its deteriorated condition, salvaged stones were used to construct decorative pillars for a new iron railing extending in front of the cemetery alone.

The cemetery, one of the oldest on Hamilton's Mountain, is part of the original acre of land purchased by the Presbyterians from Stephen Blackstone for a church and cemetery plot. The first gravestone was erected in 1847 for William Terryberry, a prosperous landowner and innkeeper. Prior to this, the Presbyterians of Barton Township were buried in William Rymal's cemetery on the Mohawk Trail, which was located next to the meeting house built in 1811 as a place of worship for Lutherans and Presbyterians.

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **SECOND** Report for 1993 and respectfully recommends:

1. That the appeal by Dimitrios Nikolaidis for reinstatement on the Taxicab Priority List be denied.

Mr. Nikolaidis made a written request to the City of Hamilton Licensing Committee on 1993 January 8, for a hearing to appeal the removal of his name from the Taxicab Priority List. He stated that he had failed to renew his name on the list because he was away for two months due to family reasons.

Hearings were scheduled for Mr. Nikolaidis on three separate occasions at which he failed to appear. The Committee were advised that Mr. Nikolaidis had in fact failed to renew his name on the Priority List by 1991 September 30, and had subsequently been removed from the List.

The Licensing Committee considered Mr. Nikolaidis's letter, and in the absence of any additional evidence, and the fact that Mr. Nikolaidis had failed to attend three scheduled meetings, dismissed the appeal as abandoned.

RESPECTFULLY SUBMITTED,

**ALDERMAN T. COOKE, CHAIRPERSON
CITY OF HAMILTON LICENSING
COMMITTEE**

**Stella Glover
Secretary
1993 June 9**

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. (a) That the City of Hamilton pay the second installment of the fees for the Secretariat of the International Great Lakes St. Lawrence Mayors' Conference in the amount of \$5,555.65 and that it be charged to the Unclassified Account; and,

(b) That the City of Hamilton, in conjunction with an American City, host the 1995 International Great Lakes Mayors' Conference in Hamilton.
2. That the City of Hamilton twin with Monterrey, Mexico and participate in the International Sisterhood Week ceremonies from 1993 October 4 to 7.
3. (a) That the 1992 Financial Report of the City of Hamilton, which has been distributed to all members of City Council, be received for information purposes; and,

(b) That the City Treasurer arrange to publish on one occasion the required 1992 financial information, based on the audited report, in The Hamilton Spectator as soon as possible, but in any event, within sixty days of receiving the audited statements and in accordance with the regulations of the Ministry of Municipal Affairs; and,

(c) That selected statements of the 1992 audited Financial Report be printed in brochure type report form for distribution to banks, other financial institutions and other interested parties.

4. That Outstanding Business Taxes in the amount of \$404,382.45 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to Account CH 53401 24106, Tax Write-offs.
5. (a) That the proposal of the Art Gallery of Hamilton to create a sculpture court on Commonwealth Square be approved; and,
(b) That the City of Hamilton provide funding estimated at \$110,000. as its share of the infrastructure required to prominently display 11 pieces of sculpture on Commonwealth Square valued at approximately \$2,000,000., thereby creating greater activity in the area, providing a more secure space and potentially reducing the vandalism costs to the City of approximately \$14,000. per annum; and,
(c) That the Treasurer recommend the method of financing.

REFERRED TO THE COMMITTEE OF THE WHOLE

Recorded vote on referral.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4. **CARRIED.**

6. That the Director of Property be authorized to proceed to sell the City owned properties at 290 and 296 Victoria Avenue North on the open market, as they have been deemed surplus to municipal requirements.
7. (a) That the City of Hamilton renew the lease with the Hamilton Municipal Employees' Credit Union Limited, respecting the use of approximately 100 square feet of the area adjacent to the walkway between City Hall and the Football Hall of Fame; and,

- (b) That the new term be for a period of five (5) years commencing 1993 March 26, and expiring 1998 March 25, at a rental rate of \$1,500. per year plus taxes of \$653.61 for 1993 and proceeds to be credited to Account No. CH 44104 31106 (Rental Civic Property - Civic Properties Rented); and,
 - (c) That the tenant shall have the option to renew the lease for a further five (5) year period with the rate and terms to be mutually agreed upon six (6) months prior to the expiry of the lease; and,
 - (d) That upon termination of the lease, the Lessee will remove its equipment and restore the site to its original state; and,
 - (e) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement in a form satisfactory to the City Solicitor.
8. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source(s) of Financing
(a) 319041001	C.U.P.- New Equipment/ Renovations	\$ 90,000.00	\$ 89,793.89	\$206.11	Reserve for Capital Projects
(b) 319241007	Asbestos Management Program-Civic Buildings	550,000.00	0.00	550,000.00	Reserve for Capital Projects
TOTAL		550,206.11			

9. (a) That purchase orders be issued for the replacement of four (4) Rear Loading Refuse Packers, for Fleet Services, being the lowest acceptable, based on the evaluated bid which includes Canadian Content, of nine (9) tenders received in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:
 - (i) Carrier Truck Centre, Brantford

In the amount of \$249,642. for the replacement of three (3) units nos. 9118, 9121 and 9122, including trade-ins
 - (ii) Sheehan's Truck Centre, Stoney Creek

In the amount of \$99,845.30 for the purchase of one (1) unit no. 9123 with no trade-in
- (b) That these expenditures be financed through Reserve for Mobile Equipment Account No. CH5X504 00101.
10. (a) That a purchase order be issued to Riddell Sheet Metal & Roofing Limited, Hamilton, in the amount of \$207,350., including a \$25,000. contingency, plus 7% GST, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reroof 125 Barton Street West Account No. CF3193 41011; and,
 - (b) That a contract be entered into satisfactory to the City Solicitor.
11. That purchase orders be issued, as follows, for the supply and delivery of various software packages as and when required by various departments for a 12 month term, being the lowest of ten tenders received, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, and be financed through various approved accounts:

(a) Time Computer, Toronto

Direct Access (5.1)	\$ 78.00
Lotus 1-2-3 Standalone (2.4)	375.00
MS DOS (5.0)	75.00
MS DOS License Packs	59.00
P.C. Tools Upgrade	75.00
ProComm Plus (2.0)	95.00
ProComm Plus Upgrade	45.00
Quarterdeck QZM 386 Memory Manager Upgrade	45.00
Windows (3.1)	99.00
Windows Upgrade	59.00
WordPerfect Standalone	325.00
WordPerfect Node	208.00
Wordperfect Server (5.1)	325.00

(b) Telecom Computer, Burlington

Central Point Anti-Virus (1.2)	\$106.00
Central Point Anti-Virus Upgrade	49.00
Direct Net Service Edition	433.00
Direct Access Upgrade	39.00
Lotus 1-2-3 Standalone, Upgrade to (2.4) only	113.00
Lotus 1-2-3 Node (2.4)	348.00
Lotus 1-2-3 Node Upgrade to (2.4) only	105.00
Lotus 1-2-3 Server (2.4)	476.00
Lotus 1-2-3 Server Upgrade to (2.4) only	106.00
Lotus License Packs	343.00
MS DOS Upgrade (5.0)	59.00
P.C. Tools Deluxe (8.0) with Central Point Anti-Virus	146.00
P.C. Tools (8.0) only	146.00
Quarterdeck QEMM 386	74.00
Windows - Upgrade	59.00
WordPerfect Upgrade - Standalone and Note	57.00
WordPerfect Server Upgrade	94.00
WordPerfect License	182.90

12. That as referred to in Section 44 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Allison Estates - Phase 1" Servicing, at a cost of \$142,744.15, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
13. That as referred to in Section 51 of the Eighth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct a finished roadway and concrete curbs on Dulgaren Street from Upper Sherman Avenue to approximately 72m Easterly under the Local Improvement Act at an estimated gross cost of \$62,300. with a City's share of \$35,350. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$26,950. being the Owner's share, to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$26,950. for a term not to exceed 20 years for the above project.
14. That further to City Council direction on 1992 August 25, that upon registration of the Final Plan of Subdivision for Sandrina Gardens - Phase 1, the Treasurer pay to the owners the amount of \$122,600. for excess lands dedicated to the City for roadway purposes on Upper Gage Avenue, that Council approve the action of the Treasurer in financing this amount from the Reserve for Property Purchases, Centre 00102.
15. That as per the Statutory requirement of Section 17 of Bill 20 "An Act to provide for the Payment of Development Charges", the Development Charge Reserve Fund Statement for 1992, attached herewith and marked Appendix "A", be received by City Council for information purposes.
16. That as referred to in Section 45 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Fieldway Drive" Servicing, at an additional cost of \$35,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".

17. That as referred to in Section 43 of the Eighth Report for 1993 of the Transport and Environment Committee, the City's share of "Rymal Square Estates - Phase 4" Servicing for the land required to establish Acadia Drive as a public highway at a cost of \$57,000., be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
18. That the contract settlement of the Operative Plasterers' and Cement Masons' International Association of the United States and Canada Restoration Steeplejacks Local Union 172 and the Steeplejack and Masonry Restoration Contractors Association be received pursuant to the Fair Wage Policy of the City of Hamilton.
19. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 June 15, attached herewith and marked Appendix "B", be approved.
20. For the information of the members of City Council, the Finance and Administration Committee has appointed Dennis McIndless to replace Mary Sinclair as the Citizen Representative for the Disabled Community on the Taxi Advisory Committee for a term to expire 1994 November 30.
21. For the information of the members of City Council, the Finance and Administration Committee have approved the following appointments:
 - (a) That the following persons be appointed to fill the existing two vacancies on the Keep Hamilton Clean Committee for a term to expire 1994 November 30th:
 - (i) Jean Coruzzi
 - (ii) Michael Cuberovic
 - (b) That the following persons be appointed to fill the existing three vacancies on the Hamilton Status of Women Sub-Committee for a term to expire 1994 November 30th:
 - (i) Jean C. Blackmore
 - (ii) Gloria Earley-Wade
 - (iii) J. Elvira Krackovic

22.
 - (a) That approval be given to the request of the Women's Trust Foundation of Hamilton & Burlington to use the Council Chamber for the purpose of an address on the occasion of Person's Day from 11:00 a.m. - 2:00 p.m. on Monday, 1993 October 19, to be preceded by a buffet lunch and reception in the second floor lobby, which will be provided by the Women's Trust, for approximately two hundred (200) women; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.
23.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the flying of the Royal Canadian Air Force flag at City Hall from 1993 June 7 to June 13 on the occasion of Royal Canadian Air Force (Women's Division) Week; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
24.
 - (a) That permission be granted to the Hamilton Status of Women Sub-Committee to use the Council Chambers on Saturday, 1993 November 13 from 10:00 o'clock a.m. to 3:00 o'clock p.m. for the purpose of conducting a Women in Politics Conference; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years, provided that it does not interfere with any other activity.
25.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the Communita Racalmutese Maria SS Del Monte to use the City Hall forecourt from approximately 2:00 p.m. to 6:00 p.m. on Sunday, 1993 June 20 for a reviewing stand during the Racalmutese Religious Festival; and,
 - (b) That the Manager of the Property Maintenance Division be authorized and directed to arrange for the erection of a reviewing stand and all other pertinencies on Sunday, 1993 June 20 for this Festival; and,
 - (c) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.

26. (a) That the Director of Property be authorized to operate the air conditioning units at the Hamilton Farmers' Market ~~as required~~; and,
AMENDED AND CARRIED.
- (b) That the Treasurer and Director of Property closely monitor the additional costs of operating the units on the above-noted basis; and,
- (c) That the Hamilton Farmers' Market Sub-Committee be directed to implement this additional cost into the Market's 1993 Current Operating Budget on a total cost recovery basis within the approved Market Budget; and,
- (d) That the funding for this expenditure in future years be reflected in the 1994 Stallholder Rates.
27. (a) That Licence By-law 93-069 be amended to permit Public Halls to extend the hours of closing to 4:00 o'clock a.m. for the holding of a Provincially licensed Monte Carlo Lottery; and,
- (b) That the City Solicitor be authorized to prepare the appropriate amending By-law for presentation to City Council. **REFERRED BACK.**
28. (a) That the City of Hamilton pay \$500. for a publication on the inside first page of a Commemorative Programme Book being published by the Canadian Club of Hamilton for the National Convention of Canadian Clubs being hosted in Hamilton on 1993 September 23 - 25; and,
- (b) That funding for this expenditure be charged to the Special Civic Receptions and Delegation Hostings Account No. CH55314 84010.

29. (a) That Licence By-law 93-069 be amended so as to provide for the deletion of the following categories of licences:
- (i) Auctioneers
 - (ii) Barber Shops and Hairdressing Establishments
 - (iii) Drive-Self Rental Vehicles
 - (iv) Driving Schools and Instructors
 - (v) Tourist & Trailer Camps, Motels
 - (vi) Pet Shops
 - (vii) Dry Cleaning Establishments
 - (viii) Storage of Petroleum and Dangerous Substances
 - (ix) Laundries and Laundreterias
 - (x) Massagists
 - (xi) Special Sales
 - (xii) Salvage Dealers
 - (xiii) Flea Market Stallholders
- (b) That the City Solicitor be directed to prepare the appropriate amending By-law for presentation to City Council.
30. (a) That maintenance for IBM computer equipment be authorized for payment to IBM Canada Ltd. (as the sole acceptable supplier) based on the following monthly rates (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Amount</u>
CH 57010 26020	Equipment Repair (Central Processing)	\$2,030./month
CH 57010 26020	Equipment Repair (Disk & Tape)	\$5,210./month
CH 57010 26020	Equipment Repair (Host Printing)	\$1,380./month
CH 57010 26020	Equipment Repair (Communications)	\$2,000./month
CH 57010 26020	Equipment Repair (Data Entry)	\$ 560./month

- (b) That the maintenance schedule be in effect for a 36 month period, starting 1993 July 1, with options for termination at the end of the term of Council or upon 30 days notice, subject to any discount penalties that may apply.

31. (a) That the monthly operating licence fees for IBM operating system and related software be authorized for payment to IBM Canada Ltd. for the term of Council based on the current monthly rates as follows (PST and GST extra):

<u>Account #</u>	<u>Description</u>	<u>Monthly Amount</u>
CH 26020-56005	CPU Software	\$ 26,400./month
CH 26022-56005	Software (Communications)	\$ 6,450./month
CH 26021-56099	Software (Business Systems)	\$ 3,600./month

- (b) That the software schedule in the licence agreement include a provision that any software may be cancelled, at any time, with 30 days notice.
32. (a) That an amount of \$10,000. be provided to assist in defraying costs associated with the hosting of the 1994 Canadian Association of Fire Chiefs Conference being held in the City of Hamilton 1994 July 31 to August 4; and,
- (b) That a further drawing privilege of up to \$20,000. be provided to assist in the promotional campaign and initial start up costs for this event. It is anticipated that these funds will be repaid from the 1994 operation revenues generated from sponsorships and advertising; and,
- (c) That the above amounts be financed from the reserve for "Hosting of Conferences with Municipal Subject Content", Account Centre 00126.
33. (a) That City of Hamilton By-law 85-066, respecting Street Vendors, be amended as follows:
- (i) That each Street Vendor selling food products provide a disposal receptacle at each vending location; and,
- (ii) That the street vendor's permit for each location be increased from \$300. to \$500. per year; and,

- (iii) That the following criteria be used in the processing of a street vendor application for presentation to the Finance and Administration Committee for approval:

(1.) Type of products to be sold by the street vendor:

Will consider diversity of products and the proximity to a business selling similar merchandise or food,

(2.) Design and quality of the street vendor cart:

Will consider size, colour, construction, and material used and

(3.) The specific location requested by the street vendor:

Will consider appropriateness of the location; its relationship to adjacent property, business and other street vendors, as well as public safety; and,

- (b) That the Parks and Recreation Committee be requested to consider giving permission for Street Vendors to sell at the following locations: Pier 4 Waterfront Park, Gore Park and Gage Park (Baseball Diamond on Lawrence Road, S/E Corner of Main and Gage and Gage and Cumberland); and,
- (c) That the City Clerk place an advertisement inviting applications for the Street Vendors Program; and,
- (d) That the City Solicitor be directed to prepare the appropriate amending By-law for presentation to City Council.

34. That the City Treasurer be authorized and directed to issue income tax receipts for donations received in support of the 1994 International Children's Games.
35. (a) That the City of Hamilton exercise its rights as mortgagee of 177 Sherman Avenue North to sell the property under the power of sale in the mortgage; and,

- (b) That the Mayor and City Clerk be authorized to execute the Notices of Sale and related documents for purposes of carrying out the sale; and,
 - (c) That if the mortgage debt is not redeemed by the Mortgagor:
 - (i) That the Director of Property be authorized:
 - (1.) To advertise the sale of the property;
 - (2.) To negotiate for Offers to Purchase the property and to submit same for Council approval;
 - (3.) To take such steps to take possession of the property, (if necessary), and to secure the property pending completion of the sale of the property.
 - (ii) The City Treasurer be authorized to write off the balance of the loan and interest not recovered in the sale of the property by the City.
 - (iii) The City Treasurer be authorized to pay off all outstanding realty tax arrears including penalty for the property of 177 Sherman Avenue North from the proceeds of the sale and any balance left from the proceeds of the sale be used to reduce deferred receivable and write off any outstanding balance from the Reserve for Working Fund.
- 36.
- (a) That the City proceed with the implementation of the mandatory changes to the Parking Violation System required under the Provincial Offences Act as amended by the Parking Infractions Statute Law Amendment Act, 1992; and,
 - (b) That the Director of Information Systems be authorized to post an additional Data Entry Operator (Temporary) position in order to process the additional information required under the Act; and,
 - (c) That staff review the requirements for full participation under the new Legislation which involves the assumption of additional responsibilities for collection and enforcement currently under the jurisdiction of the Provincial Court; and,

- (d) That staff prepare a report and business case for designing a system for full participation at the \$4. Administration Fee Level under the new Legislation.
- 37.
- (a) That the City settle Ontario Court (General Division) Action No. 40065/92 by the payment to the Plaintiff, Audrey Harse, of \$3,737.20 inclusive of all damages, interest and costs; and,
 - (b) That the Plaintiff, Audrey Harse, be required to provide a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 40065/92 be dismissed without costs.
38. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 6893/89 on the following terms:
- (a) That the City pay to the Plaintiffs John Davidson, Harry Davidson and Carol Davidson, \$17,200., inclusive of damages, interest, disbursements and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release of the City of Hamilton in a form satisfactory to the City Solicitor; and,
 - (c) That the Plaintiffs dismiss Ontario Court (General Division) Action No. 6893/89 as against the City of Hamilton without costs.
39. That the City agree to settle Ontario Court (General Division) Action No. 26932/91 on the following basis:
- (a) That the Plaintiff, Cathy Summers, shall provide a Full and Final Release to the City in a form satisfactory to the City Solicitor; and,
 - (b) That Ontario Court (General Division) Action No. 26932/91 shall be dismissed as against The Corporation of the City of Hamilton without costs.

40. (a) That pursuant to the provisions of By-Law 91-090, the City of Hamilton indemnify the Mayor for reasonable legal fees incurred in his defense of a complaint to the Human Rights Commission, Commission file No. 80-461-T, and Board of Inquiry file No. 920185; and,
- (b) That all accounts from the Mayor's solicitor be submitted to the City Solicitor for review and approval; and,
- (c) That the City Solicitor be authorized to pay such accounts, in accordance with the City's standing policy on payment of accounts, from time to time upon approval, or, if not satisfied, to submit such accounts to an Assessment Officer for Assessment prior to payment.

Recorded vote on Section 40 (c)

YEAS: Aldermen Kiss, McCulloch, Drury, Morelli, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

CARRIED.

NAYS: Alderman Copps. -1.

41. (a) That pursuant to the provisions of By-Law 91-090, the City Solicitor be directed to take over the defence of Alderman Tom Jackson in Ontario Court (General Division) Action No: 38313/92; and,
- (b) That pursuant to the provisions of By-law 91-090, the City of Hamilton indemnify Alderman Tom Jackson for reasonable legal fees incurred in his defence of Ontario Court (General Division) Action No: 38313/92 up to the date upon which the City Solicitor takes over his defence; and,
- (c) That all accounts from Alderman Jackson's solicitor be submitted to the City Solicitor for review and approval; and,
- (d) That the City Solicitor be authorized to pay such accounts, in accordance with the City's standing policy on payment of accounts upon approval, or, if not satisfied to submit such accounts to an Assessment Officer for assessment prior to payment.

42. That the Special Purpose Committee of the Mayor, Alderman F. Eisenberger, and Alderman F. D'Amico, as established and appointed by City Council at its meeting held Tuesday, 1992 October 27th (Section 23 of the 23rd Report of the Finance and Administration Committee) be further authorized to serve as the Tribunal to conduct all future Statutory Hearings in accordance with Section 4 of the Fire Department Act for the balance of the present term of City Council.
43. That leave be granted to introduce the following Bills:
- (a) Bill H-43 A By-law to amend By-law No. 85-066 respecting Street Vendors.
 - (b) Bill H-44 A By-law to authorize the Installation of Bleachers at Mohawk Sports Park.
 - (c) Bill H-45 A By-law to amend Market By-law No. 92-310 respecting Market Hours.
 - (d) Bill H-46 A By-law to amend By-law No. 79-323 as Consolidated in By-law No. 93-069 to Repeal various Trade and Business Licences.
 - (e) Bill H-47 A By-law to confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 June 24**

Appendix "A" referred
to in Section 15 of the
THIRTEENTH Report of the
Finance and Administration
Committee for 1993.

DEVELOPMENT CHARGE RESERVE FUND
STATEMENT OF CONTINUITY
FOR THE YEAR ENDED DECEMBER 31, 1992

	Total \$	Recreational Facilities \$	Parks \$	Libraries \$	Fire Stations \$	Roads & Street Lighting \$	Traffic Building and Signs \$
Balance at the beginning of the year	\$2,262,833	\$558,546	\$304,976	\$211,482	\$448,069	\$687,807	\$51,953
Development charges received or receivable	1,255,716	393,610	214,919	149,033	141,897	344,123	12,134
Development charges refunded	(371,676)	(115,207)	(62,906)	(43,621)	(43,654)	(102,438)	(3,850)
Interest Earned	184,180	58,003	31,670	21,961	20,468	50,352	1,726
	3,331,053	894,952	488,659	338,855	566,780	979,844	61,963
Transferred to the capital fund	0	0	0	0	0	0	0
Amounts allocated to other services	0	0	0	0	0	0	0
Balance at the end of the year	\$3,331,053	\$894,952	\$488,659	\$338,855	\$566,780	\$979,844	\$61,963

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

Appendix "B" referred
to in Section 19 of the
THIRTEENTH Report of the
Finance and Administration
Committee for 1993.

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Iyed Abdel-Baki	I	Traffic Serviceman/ Woman II (11C)	Traffic	Replacing Mr. S. Tinson - promoted March 22/93 - D. DiMascio terminated November 11/92	\$28,956.20 to \$31,989.88	May 24/93
Mr. Jeffrey Danby	I	Traffic Serviceman/ Woman II (11C)	Traffic	Additional Staff Council Approved February 02/93	\$31,511.48 to \$35,808.24	May 10/93
Mr. John Della Pietra	I	Traffic Serviceman/ Woman II (11C)	Traffic	Replacing Mr. G. Flynn - promoted, May 04/92 T. Durney, deceased August 17/93	\$28,956.20 to \$31,989.88	May 24/93
Mr. Michael Hunter	I	Forester II (D18)	Public Works	Replacing Mr. P. Lecomte promoted April 19/93 New Position Council Approved January 28/92	\$37,510.72	May 24/93

Prepared June 15/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>EMPLOYEE STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. David Lavallee	I	Traffic Serviceman/ Woman II (11C)	Traffic	Replacing Mr. J. Everets - transferred, Jan 01/92 New Position Right Sizing Committee 1991	\$28,956.20 to \$31,989.88	May 24/93
Mr. Robert Stephenson	I	Traffic Serviceman/ Woman II (11C)	Traffic	Replacing Mr. P. Baker - promoted, May 04/92 Mr. A. Runtes retired, Jan 01/92	\$28,956.20 to \$31,989.88	May 11/93

Prepared June 15/93

Status

Internal - I

External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. John Bolonzon	Motor Mechanic I	Fleet Services	Deceased	8 years, 7 months	May 31/93
Ms. Sheila Cartwright	Cleaner	Property	Resigned	2 years, 7 months	May 27/93
Ms. Patricia Empey	Stenographer III	Treasury	Retired	9 years, 9 months	May 31/93

Prepared June 15/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

1993 June 29

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its **SECOND** Report for 1993 and respectfully recommends:

1. That Alderman Don Drury be appointed Chairman of the Committee of the Whole for a three (3) month term commencing July, 1993.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN, NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1993 June 29

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SIXTH** Report for 1993 and respectfully recommends:

1. (a) That as referred to in Section 5 of the Thirteenth Report for 1993 of the Finance and Administration Committee, the funds for the proposal of the Art Gallery of Hamilton to create a sculpture court on Commonwealth Square in the amount of \$110,000 as the City's share of the infrastructure required to prominently display 11 pieces of sculpture on Commonwealth Square be funded by making a reduction to the remaining Capital Contingency of \$390,819 by the amount of \$110,000 to leave the balance in the Capital Contingency Account of \$280,819.
- (b) That the funding noted in (a) be financed from the Reserve for Capital Projects Account Centre No. CH 00203. REFERRED BACK

Recorded vote on referral:

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -11.

NAYS: Mayor Morrow, Aldermen Agro, McCulloch, Agostino. -4.

CARRIED.

1993 June 29

2. That the funding sources identified on Appendix "A" attached hereto in the total amount of \$3,883,343 be used to offset the estimated 1993 City funding shortfall to the extent of the 1993 Snow Control accounts overdraft and the costs associated with the April 1993 Ice Storm damage.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
COMMITTEE OF THE WHOLE**

J.J. Schatz, Secretary
1993 June 29

1993 June 29

Appendix "A" as referred to
in Section 2 of the Sixth Report
of the Committee of the Whole Report
for 1993.

APPENDIX A

FUNDING SOURCES FOR 1993 CITY SHORTFALL

	<u>Account/Centre</u>	<u>Amount \$</u>
Reserve For Snow Control and Storm Damage	CH00112	736,893
Provision For Snow Control And Storm Damage	CH54142-23001	800,000
Annualized Operating Costs-Twin Pad:		
Twin Pad Revenue	CH48490-24930	(426,600)
Twin Pad Food Revenue	CH48491-24930	(64,020)
T.P. Recreation Expense	CH59251-24930	433,000
T.P. Property Expense	CH59252-24930	349,000
T.P. Rec.Expense-Food Serv.	CH59253-24930	64,020
		<u>355,400</u>
General Contingency	CH50008-24120	500,000
Capital Contingency (Res. for Capital Projects)	CH00203	280,819
Unallocated Grants	CH5A049-20016	70,500
Reserve For Capital Projects	CH00203	550,000
Reserve For Debt Charges	CH00108	589,731
Total		<u><u>3,883,343</u></u>

Minutes of Committee of the Whole/Hamilton City Council

1993 July 20th

6:00 o'clock p.m.

Room 233, City Hall

URBAN/MUNICIPAL

CA4 ON HBL A05

M21

1993

Present:

Acting Mayor D. Agostino.

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Charters, Jackson, Merling, Ross, D'Amico.

Absent:

Mayor R. M. Morrow - Civic Business

Alderman T. Anderson - Civic Business

It was moved by Alderman D'Amico and seconded by Alderman Cooke that Rule No. 4 of
the City of Hamilton Procedural By-law No. 82-203 be suspended for this meeting of City
Council. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Charters that Council move
into Committee of the Whole to consider the Reports of the Transport and Environment
Committee and the City Council Committee of the Whole with Acting Mayor Agostino in
the chair.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson,
Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - NINTH REPORT
Stop Sign Control - Bay St. North

COMMITTEE OF THE WHOLE - SEVENTH REPORT
Liquor Licence Applications - Aquafest and Opa '93 Festival

1993 July 20

It was moved by Alderman Cooke and seconded by Alderman Charters that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, and the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Charters that the following Bills be now read a first time:

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Charters that Council move into Committee of the Whole to consider the following Bills, with Acting Mayor Agostino in the chair. (second reading).

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Charters that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

* * * * *

1993 July 20

It was moved by Alderman Cooke and seconded by Alderman Charters that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-55, A-56.

Recorded vote.

YEAS: Acting Mayor Agostino, Aldermen Cooke, Agro, Drury, Copps, Wilson, Eisenberger, Charters, Jackson, D'Amico. -10.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:15 o'clock p.m.

* * * * *

Taken as read and approved.

Acting Mayor D. Agostino

J.J. Schatz
City Clerk

1993 July 20

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **NINTH** Report for 1993 and respectfully recommends:

1. (a) That the northbound and southbound stop signs on Bay Street North at Strachan Street and at Simcoe Street be removed; and
- (b) That a three-way stop control be implemented at the intersection of Bay Street North and Harbour Front Drive; and
- (c) That the City Traffic By-law 89-72 be amended accordingly
- 2.. That leave be granted to introduce the following Bills:
 - (a) **Bill A-55** By-law to Amend Traffic By-law 89-72 to Regulate Traffic
 - (a) **Bill A-56** By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

Respectfully Submitted,

Kevin C. Christenson,
Secretary
1993 July 19

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **SEVENTH** Report for 1993 and respectfully recommends:

1. (a) (i) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of the Greater Hamilton Aquafest 1993 being held this year from 1993 July 23rd - 25th and deems this community festival to be of municipal significance to the City of Hamilton; and,
 - (ii) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the Leander Boat Club in conjunction with the Aquafest activities.
- (b) (i) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of the Opa '93 Festival being held by St. Demetrios Greek Orthodox Church on 1993 July 30th to August 2nd and deems this community festival to be of municipal significance to the City of Hamilton; and,
 - (ii) That the City of Hamilton has no objection to the issuance of a Special Occasion Permit for this community festival.

RESPECTFULLY SUBMITTED

**ALDERMAN D. AGOSTINO
CHAIRMAN,
COMMITTEE OF THE WHOLE**

J.J. Schatz, Secretary
1993 July 20

Minutes of Hamilton City Council
1993 July 27th
7:30 o'clock p.m.
Council Chambers, City Hall

URBAN M
AUG 1993
GOVERNMENT

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Eisenberger, Agostino, Charters, Jackson, Merling, Anderson, Ross, D'Amico.

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Rev. Trent Walker, Bethel African Methodist Episcopal Church led Council in Prayer.

* * * * *

Mayor R. M. Morrow proclaimed the week of August 1 - 7, 1993 as "World Breastfeeding Week"

* * * * *

The minutes of the Regular meeting of 1993 June 29 and the Special meeting of 1993 July 20 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Application dated 1993 June 30 from Mr. W. Heck, Burlington, Ontario for a further modification to the "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property located at Nos. 305-307 Main Street West, Hamilton, Ontario.

Recommendation: **Received.**

2. Application dated 1993 June 30 from Trustees of Bethel Gospel Tabernacle, Hamilton, Ontario for a change in zoning from "AA" (Agricultural) District to "E-2" (Multiple Dwellings) District for lands located at Nos. 1321, 1329, 1335 and 1343 Upper Wellington Street, Hamilton, Ontario.

Recommendation: **Received.**

3. Application dated 1993 July 16 from 822827 Ontario Inc. (A. DiSilvestro) for a change in zoning from "DE-2" (Multiple Dwellings) District modified and "E-2" (Multiple Dwellings) District modified to "R-4" (Small Lot Single-Family Detached) District for lands located in the area north of Limeridge Road East and west of Upper Kenilworth Avenue, Hamilton, Ontario.

Recommendation: **Received.**

4. Application dated 1993 July 20 from 177965 Canada Limited c/o Vince Serratore (Imperial Oil), Willowdale, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations, for property located at No. 528 Mohawk Road East, Hamilton, Ontario.

Recommendation: **Received.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Mayor's Report, the Finance and Administration Committee, and the City Council Committee of the Whole be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - TENTH REPORT

PARKS AND RECREATION COMMITTEE - THIRTEENTH REPORT

Section 1 (d) Re: Initial Fee - Parking Space Signs - 96 Mary St. (Beasley Park)

It was moved by Alderman Agro and seconded by Alderman Kiss that Sub-Section (d) of Section 1 of the Thirteenth Report of the Parks and Recreation Committee be referred back.

CARRIED.

* * * * *

Section 3 Re: Selling of Beer - Canada Employment and Immigration Slo-Pitch Team - Globe Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson -1.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT
--

Section 1 Re: Purchase Order - Frank Bufalino & Sons Construction Ltd. - Hamilton Tennis Club

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

* * * * *

Section 2 (a) Re: Selling of Alcoholic Beverages - Greek Canadian Church - Inch Park

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, D'Amico, Ross. -14.

NAYS: Aldermen Jackson, Merling, Anderson. -3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - TWELFTH REPORT

Section 1 Re: City Initiative 93-A - General Text Amendment

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, D'Amico. -11.

NAYS: Aldermen Cooke, Morelli, Agostino, Charters, Jackson, Ross. -6.
CARRIED.

Section 9 Re: Zoning Application 89-57, Ascenzo Lepore - 236-250 Rymal Rd. W.

It was moved by Alderman Eisenberger and seconded by Alderman Charters that Section 9 of the Twelfth Report of the Planning and Development Committee be amended by replacing Appendix "D" as the legend on the original Appendix "D" was incorrect.
CARRIED.

* * * * *

Section 25 Re: Building Permit Fees - Hamilton Tiger Cats - 100 King Street West

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson. -10.

NAYS: Aldermen Kiss, Agro, Drury, Charters, Jackson, D'Amico, Ross. -7.
CARRIED.

LICENSING COMMITTEE - THIRD REPORT

MAYOR'S REPORT - FIRST REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FOURTEENTH REPORT

Section 2 Re: Monte Carlo Events in Public Halls

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, Copps, Wilson, Charters, Jackson, Merling, Anderson. -7.
CARRIED.

* * * * *

It was moved by Alderman Ross and seconded by Alderman Agro that Rule No. 8 of the City's Procedural By-law No. 82-203 be invoked for this meeting of City Council in order to consider two resolutions dealing with the extension of liquor licences to outside areas of licenced establishments.
CARRIED.

* * * * *

Section 28 Re: Liquor Licence Board of Ontario - Hess Village Musicfest

It was moved by Alderman Ross and seconded by Alderman Agro that the following be added to the Fourteenth Report for 1993 of the Finance and Administration Committee as Section 28:

28. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Musicfest being held at Hess Village Pedestrian Mall, 1993 July 30 and 31, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
- (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control. **CARRIED.**

* * * * *

Section 29 Re: Liquor Licence Board of Ontario - Hess Village Bluesfest

It was moved by Alderman Ross and seconded by Alderman Agro that the following be added to the Fourteenth Report for 1993 of the Finance and Administration Committee as Section 29:

29. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Bluesfest being held at Hess Village Pedestrian Mall, 1993 August 27 and 28, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
- (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control. **CARRIED.**

COMMITTEE OF THE WHOLE - EIGHTH REPORT

Section 1 (f) Re: Funding Adjustments - Provincial Budget and Expenditure Control Plan

It was moved by Mayor Morrow and seconded by Alderman Ross that the Eighth Report of the Committee of the Whole for 1993 be amended by adding the following to Section 1 as sub-section (f):

- (f) and that staff be directed to bring back further recommendations for funding adjustments in the amount of \$88,420. to offset the identified funding requirements.
CARRIED.

* * * * *

Section 2 Re: Art Gallery of Hamilton - Sculpture Court on Commonwealth Square

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

NAYS: Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico. -7.
CARRIED.

* * * * *

Section 3 Re: Art Gallery of Hamilton - Sculpture Court on Commonwealth Square

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

1993 July 27

NAYS: Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico. -7. **CARRIED.**

RESOLUTIONS

It was moved by Alderman Agostino and seconded by Alderman Eisenberger that Rule No. 8 of the Procedural By-law be invoked for this meeting of City Council to permit consideration of a resolution respecting a request for City Council to support the request of the Citizen Action Group for M.P.P. Dave Christopherson to launch a formal investigation into why the Citizen Action Group's contract with the Jobs Ontario Program is being terminated on July 31, 1993.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Agro, Drury, Morelli, Copps, Agostino, Eisenberger, D'Amico. -8.

NAYS: Aldermen Cooke, Kiss, Wilson, Charters, Jackson, Merling, Anderson, Ross. -8. **LOST.**

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman F. Eisenberger be appointed Acting Mayor for the month of August, 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Licensing Committee, the Mayor's Report, the Finance and Administration Committee, and the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-57, A-58, A-59, A-60, A-61.

C-52, C-56, C-57, C-58, C-59, C-60, C-61, C-62, C-64.

H-48, H-49, H-50.

I-1.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 9:05 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J.J. Schatz, City Clerk
1993 July 27

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its TENTH Report for 1993 and respectfully recommends:

1.
 - (a) That the construction of a concrete alley first south of Cannon Street East from Wentworth Street to approximately 72 m westerly proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$27,900. with a City's Share of \$16,390. and an Owner's Share of \$11,510. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
 - (b) That the total Owner's Share of \$11,510. be paid by the Municipal Non-Profit (Hamilton) Housing Corporation; and,
 - (c) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (d) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
2. That the City of Hamilton participate in Trout Unlimited Canada's "Storm Drain Marking Program" at the cost of Trout Unlimited or other agencies, but not the City of Hamilton.

3. (a) That the submitted schedule of works be adopted for inclusion in the subdivision agreements with the Owners for the estimated cost of services in:

"HAMILTON GOURLEY - PHASE 1", Hamilton

City's Share - NIL, Owner's Share - \$19,492.

"ORCHARD PARK ESTATES - PHASE 2", Hamilton

City's Share - \$3,696., Owner's Share - \$83,868.

"ORCHARD PARK ESTATES - PHASE 3", Hamilton

City's Share - \$8,260., Owner's Share - \$95,746.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed subdivision agreements with the owners of "Hamilton Gourley - Phase 1", Hamilton, "Orchard Park Estates - Phase 2", Hamilton and "Orchard Park Estates - Phase 3", Hamilton as well as any other related documents for these developments, subject to the approval of the City Solicitor.
- (c) That approval of the above-noted clauses be subject to the condition that no work be commenced until the final plans and subdivision agreements have been registered.
- (d) That in the event the Owners wish to proceed prior to the registration of the Final Plans and Subdivision Agreements, they should be allowed to do so at their own risk provided they enter into a standard agreement with the City of Hamilton for Pre-Servicing.
- (e) That the City's share of services in "Orchard Park Estates - Phase 2", Hamilton (\$3,696.) and "Orchard Park Estates - Phase 3", Hamilton (\$8,260.) be approved and that the Finance and administration Committee recommend the source of funding for these projects.

-

Plan 62R-10568

-

7. (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Director, on behalf of Glendale Realty Holdings Inc., and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 3, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.753 metres/89.694 metres (294.46 feet/294.27 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 3, 62R-12325, or such lesser areas as required by the above parties.
- (c) That this sale be conditional upon:
- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of part One, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.

The parties agree to revisions to this said paragraph, if necessary, to ensure registration of the City's deed to the Purchaser incorporating the said paragraph.

- ii. The closing of the sale of the closed portion of Belview Avenue from the City to the Purchaser shall not result in the termination of the terms of this Agreement between the parties by merger. The terms of this Agreement remaining to be performed by the parties shall continue in full force and effect notwithstanding the said conveyance of lands by the City to the Purchaser.
8. (a) That an Offer to Purchase (Highway Closure), executed on 1993 June 28 by Mr. Mark Litwin, Sole Director and President, on behalf of Barrealco Inc. (a subsidiary of Glendale Spinning Mills), and scheduled to close within thirty (30) days of fulfilment of all conditions as set out in Paragraph 8 of said Agreement, but in any event no later than 1993 December 16, for the sale of part of Belview Avenue, designated as Part 2, 62R-12325, more particularly described as having a width of 7.621 metres (25.0 feet) by 89.694 metres/89.636 metres (294.27 feet/294.08 feet) and containing an area of 0.068 hectares (0.16803 acres), be approved and completed, and the funds derived from this sale of \$5,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
- (b) That the City's deed to the Purchaser be subject to an easement in favour of the Regional Municipality of Hamilton-Wentworth, Union Gas Limited, Bell Telephone Company, Ontario Hydro, Hamilton Hydro and the Local Cablevision Company over Part 2, 62R-12325, or such lesser areas as required by the above parties.
- (c) That this sale be conditional upon:
- i. The Purchaser confirms that the sale of the land in the Offer to Purchase to the Purchaser by the City is a condition or requirement of the Purchaser's agreeing to use the access route including the said Part One, 62R-12325, and other relating lands.

Accordingly, the Purchaser agrees that the deed to him of the land in the Offer to Purchaser, which he shall execute before closing, shall include the Purchaser's covenant to the City that, in the event that an Agreement dated 1993 March 22, entered into by the City and Glendale Realty Holdings Inc., regarding the use of Part 1, 62R-12325 and adjacent land, is not complied with by Glendale Realty Holdings Inc., that the Purchaser for itself, its successors and assigns agrees that it shall, if required by the City, reconvey the land (described in the Offer to Purchase) to the City for the sum of \$1., free and clear of all encumbrances (except the easements referred to herein) and without compensation for any improvements, alterations or other expenses incurred by the Purchaser in respect of the said land or the said reconveyance to the City.

The parties agree to revisions to this said paragraph, if necessary, to ensure registration of the City's deed to the Purchaser incorporating the said paragraph.

- ii. The closing of the sale of the closed portion of Belview Avenue from the City to the Purchaser shall not result in the termination of the terms of this Agreement between the parties by merger. The terms of this Agreement remaining to be performed by the parties shall continue in full force and effect notwithstanding the said conveyance of lands by the City to the Purchaser.
9. (a) That an Option to Purchase, duly executed by Garnet Hyslop and Jean Hyslop on 1993 June 9, and scheduled for closing on or before 1993 September 20, for the purchase by the City of a parcel of land being composed of part of Lot 7, Concession 8, formerly in the geographic Township of Barton, now in the City of Hamilton, containing 310.28 square metres (0.076 acres) more or less, shown as Parts 12 and 13 on Plan 62R-9927, being rear land of 819 Rymal Road East, be approved and completed, and the purchase price of \$502. be charged to Account No. CH5X323 00107 (Services Through Unsubdivided Lands). Subject land is required for the extension of Eaglewood Drive.

- (b) That it is understood and agreed that all costs (including land and construction costs) for the establishment of this extension of Eaglewood Drive will be charged against the One Foot Reserve and recovered at the time of development of the abutting land in accordance with municipal subdivision policies in effect at the time of development.
- 10.
- (a) That an Offer to Purchase Easement Agreement, executed by Sister Teresita McNally, General Supervisor, of The Sisters of St. Joseph of Hamilton, on 1993 June 7, and scheduled for closing thirty (30) days after the enactment of a by-law to sell the closed road allowance between 41 and 49 Owen Place, for the purchase of an easement for services to St. Joseph's Ambulatory Care Centre (sewer and water), more particularly described as Reserved for Street, Parcel C, 0.305 Reserve, Registered Plan 851, having a frontage along the westerly limit of Owen Place of 7.92 metres (25.98 feet) more or less, by a depth of 32.940 metres (108.07 feet) more or less, shown as Parts 3 and 6 on attached copy of Plan 62R-10952, be approved and completed, and the funds derived from this sale of \$16,000. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases). Subject parcel forms part of the closed road allowance of Owen Place registered as Instrument No. 142967.
 - (b) That the required certified deposit cheque in the amount of \$1,600. be held by the City Treasurer pending City Council approval.
 - (c) That the Mayor and City be authorized and directed to execute all the necessary documents to finalize this transaction.
- 11.
- (a) That northbound traffic on East 42nd Street be required to stop for eastbound and westbound traffic on Seventh Avenue; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 12.
- (a) That eastbound traffic on Kelso Street be required to stop for northbound and southbound traffic on Highcliffe Avenue; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.

13.
 - (a) That northbound traffic on Sylvester Street be required to stop for eastbound and westbound traffic on Highridge Avenue; and
 - (b) That southbound traffic on Sylvester Street be required to stop for eastbound and westbound traffic on Berkindale Drive; and
 - (c) That westbound traffic on Berkindale Drive be required to stop for northbound and southbound traffic on Donn Avenue; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
14.
 - (a) That three-way stop control be implemented at the intersection of Emperor Avenue and Acadia Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
15.
 - (a) That three-way stop control be implemented at the intersection of Delawana Drive and Riverdale Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
16.
 - (a) That a "No Parking" regulation be implemented on the north and west sides of Strawberry Drive commencing at a point 260 feet south of Cranberry Drive and extending to a point 117 feet west of Strawberry Drive (east leg); and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
17.
 - (a) That the existing full time "No Parking" regulation on the north side of Glen Road commencing 320 feet east of Macklin Street and extending to a point 395 feet easterly therefrom, be revised such that the regulation will be in effect from 8:00 a.m. to 5:00 p.m., Monday to Friday"; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
18.
 - (a) That the existing "No Parking, 8:00 a.m. to 12 noon, every second Tuesday of each month" regulation on both sides of Chilton Place be removed; and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
19. (a) That a "No Parking" regulation be implemented on the west side of Ferguson Avenue North commencing 80 feet south of Wilson Street and extending to a point 64 feet southerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
20. (a) That a "No Parking" regulation be implemented on the west side of Butler Drive commencing at Acadia Drive (north leg) and extending to the west property line of St. Jean de Brebeuf School; and
- (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation be implemented on the north and east sides of Butler Drive commencing at Acadia Drive (north leg) to Acadia Drive (east leg); and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
21. (a) That the existing "Alternate Side Parking" regulation on Glendale Avenue North between Barton Street East and Cannon Street East be removed; and
- (b) That a "No Parking" regulation be implemented on the west side of Glendale Avenue North between Barton Street East and Cannon Street East; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
22. (a) That a "Permit Parking" regulation be implemented on the north side of Kelly Street commencing at a point 98 feet west of Cathcart Street and extending to a point 42 feet westerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to the residents of Nos. 73 and 75 Kelly Street; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.

23.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Fraser Avenue commencing at a point 172 feet north of Campbell Avenue and extending to a point 24 feet northerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Ms. Donna McElroy, No. 28 Fraser Avenue; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
24.
 - (a) That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 9:00 p.m., seven days a week" regulation on the east side of Chestnut Avenue commencing at a point 188 feet north of Cannon Street and extending to a point 22 feet northerly therefrom be removed; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
25.
 - (a) That the existing "No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the east side of Princeton Drive which commences at Sherwood Rise and extends to a point 160 feet northerly therefrom be removed; and
 - (b) That the existing "No Stopping" regulation on the east side of Princeton Drive which commences at Margate Avenue and extends to a point 109 feet southerly therefrom be extended, such that the regulation commences at Margate Avenue and extends to a point 134 feet southerly therefrom; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
26.
 - (a) That three-way stop control be implemented at the intersection of Lennox Street and Locheed Drive; and
 - (b) That northbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Carson Drive; and
 - (c) That southbound traffic on Leduc Street be required to stop for eastbound and westbound traffic on Laird Drive; and

- (d) That eastbound traffic on Laird Drive be required to stop for northbound and southbound traffic on Kingsberry Street; and
 - (e) That southbound traffic on Kingsberry Street be required to stop for eastbound and westbound traffic on Locheed Drive; and
 - (f) That southbound traffic on Palace Boulevard be required to stop for eastbound and westbound traffic on Locheed Drive; and
 - (g) That westbound traffic on Knights Court be required to stop for northbound and southbound traffic on Palace Boulevard; and
 - (h) That westbound traffic on Embassy Drive be required to stop for northbound and southbound traffic on Palace Boulevard; and
 - (i) That the City Traffic By-law 89-72 be amended accordingly.
27. (a) That a "No Stopping" regulation be implemented on the west side of Weir Street north commencing at Vansitmart Avenue and extending to a point 96 feet northerly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
28. (a) That a "No Stopping" regulation be implemented on the north side of Hadeland Avenue commencing at Wendover Drive and extending to a point 50 feet easterly therefrom; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
29. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four eligible applicants residing in the apartment building at No. 262 Glencarry Avenue.
30. (a) That the Templemead Neighbourhood be designated as a Neighbourhood Watch Area; and

- (b) That Neighbourhood Watch signs for the Templemead Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
 - (c) That the necessary funds be charged to Account No. CH55301 75030, (Neighbourhood Watch Program), and supplemented as required by the Traffic Department Account No. CH56XXX 75420, Installation of New Signs.
31. (a) That the existing residential boulevard parking agreement registered as Instrument No. 64223 C.D. to the property at No. 143 Edgemont Street North be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
32. (a) That a "No Parking" regulation be implemented on the east side of Sanford Avenue South between the south curb line of Rutherford Avenue and a point 99 feet north of Cumberland Avenue; and
- (b) That northbound and southbound stop control be implemented on Sanford Avenue South at Rutherford Avenue; and
- (c) That the City Traffic By-law 89-72 be amended accordingly.
33. (a) That a three-way stop control be implemented at the intersection of Independence Drive and Mount Pleasant Drive.
- (b) That the City Traffic By-law 89-72 be amended accordingly.
34. (a) That the Public Works Department, Parks Division, Forestry Section, be authorized to undertake stumping associated with removal of trees (Ice Storm - April 1993) and chipping of stockpiled brush/branch debris.
- (b) That the 1993 projected budgetary impacts of the chipping/stumping work of approximately \$47,000. be charged to the City's Road and Sidewalk Reconstruction Program.

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- (c) That due to existing budgetary constraints and projected costs associated with tree replacement, staff be authorized to defer indefinitely this work at properties affected by the April 1993 Ice Storm.

35. That leave be granted to introduce the following Bills:

- (a) **Bill A-57** By-law to Incorporate Parts 11 and 14, Plan 62R-10568 into Butler Drive
- (b) **Bill A-58** By-law to Amend By-law No. 92-292 to Incorporate Part 7, Plan 62R-12372 and Part 1, Plan 62R-12403 into Duncairn Crescent
- (c) **Bill A-59** By-law to Amend By-law No. 92-291 to Incorporate Block FX, Plan M-129 and Part 3, Plan 62R-12372 into Gondola Street
- (d) **Bill A-60** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (e) **Bill A-61** By-law to amend Traffic By-law 89-72 to Regulate Traffic

Respectfully Submitted,

Kevin C. Christenson, Secretary
1993 July 19

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. (a) That the Director of Traffic Services be directed to post signs reserving five parking spaces for Cannon Street residents at the property located as part of No. 96 Mary Street (Beasley Park).
- (b) That each of the residents of 136 - 144 Cannon Street be offered the option of purchasing one parking permit on an annual basis at a cost of \$24. per year. (5 parking spaces in total).
- (c) In the event that any of the five property owners does not wish to exercise his/her right to purchase a parking permit on any given year that same be offered to the remaining residents in the sole discretion of the Traffic Department.
- (d) That an initial fee of \$50. be charged for each permit issued in order to cover the cost of manufacturing, erecting and maintaining the required signs. **REFERRED BACK**
- (e) That the above be subject to the following conditions:
 - i. winter snow removal be undertaken by the permit holders
 - ii. spring regrading of the gravel be undertaken by the permit holders.
 - iii. cost of curbing the perimeter of the parking area be covered under the Central/Beasley PRIDE Programme.
- (f) That the parking permits can be rescinded by City Council at its discretion in accordance with Section 8 of the Eighth Report of the Planning and Development Committee for 1993 adopted by City Council at its meeting held 1993 March 9.

- (g) That parking permits only be made available for vehicles registered to residents of 136 - 144 Cannon Street.
2. That Section 8 of the Twenty-first Report of the Parks and Recreation Committee for 1992 respecting the 1997 Hamilton World Curling Championships, attached hereto as Appendix "A" which was adopted by City Council at its meeting held 1992 December 8, be rescinded.
3. That permission be granted to the Canada Employment and Immigration Slo-Pitch Team to sell beer during the occasion of their slo-pitch tournament, scheduled at Globe Park, 1993 August 21 and 22, subject to the following terms and conditions:
- (a) The proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
 - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
 - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
 - (d) That the applicant assume responsibility for all labour-related costs as a result of this event.
 - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson -1.

CARRIED.

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4. (a) That a purchase order be issued to National Painting & Decorating (Hamilton) Inc., in the amount of \$67,264.20 including all taxes and \$3,000. contingency to apply a decorative surface finish to the tugboat play structure at Pier-4 Park, being the only complete tender received for Alternative 1 (sprayed thermal zinc with epoxy spray) in accordance with specifications issued by the Manager of Purchasing and the Vendor's tender, and be funded from Account No. CF5200 419254003, Harbourfront Park Remediation - Stage 2.
- (b) Pier-4 Park will be opening 1993 July 23, therefore, the contractor cannot wait for final City Council approval on June 29 because there is a six-week construction period and the preparatory work of tendering could not begin early because of other on-going projects. Therefore, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairperson, the Chief Administrative Officer, and that any action taken under this provision to be reported to the next regular meeting of City Council".

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 July 20

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Appendix "A" as referred to in
Section 2 of the THIRTEENTH Report
of the Parks and Recreation
Committee for 1993

Sub-joined is a copy of Section 8 of the Twenty-first Report of the Parks and Recreation Committee for 1992 adopted by Hamilton City Council at its meeting held 1992 December 8.

- (a) That the City of Hamilton support the Hamilton World Curling Championships Bid Committee in their efforts to host the 1997 World Curling Championships in Hamilton at Copps Coliseum.
- (b) That the Finance and Administration Committee be requested to consider the following recommendations:
 - i. That the City of Hamilton provide the financial assistance of a \$20,000 grant to the Hamilton World Curling Championships Bid committee to prepare and present a bid to the World Curling Federation.
 - ii. In the event of a successful bid, the City of Hamilton would also provide financial assistance in the form of an interest free, loan of \$500,000 payable to the Hamilton World Curling Championship committee per the following schedule:

March 1993		\$100,000
December 1994		\$275,000
December 1995		\$125,000
Total Funding		\$500,000

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. (a) That a purchase order be issued to Frank Bufalino & Sons Construction Ltd. in the amount of \$418,500. to complete the construction of a new Club House for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. Grounds and that a contract be entered into satisfactory to the City Solicitor.
- (b) That the City of Hamilton's consultant contract with Mr. John Mokrycke, Architect be increased to a maximum of \$11,000. to provide for additional architectural and engineering services resulting from the prolonged construction schedule, problems emanating from the termination of contract with Memphis-Kendall and the retendering of this project.
- (c) That approvals be subject to:
 - i. The Guarantee Company of North America making an unconditional commitment to make payment of contract amounts in excess of the current remaining balance in the City's project budget, up to the limit prescribed in their performance bond;
 - ii. the written commitment be in form and content, satisfactory to the City Solicitor.
- (d) That the authorized cost of this project as approved by City Council on 1992 November 10, be revised from \$300,000. to \$562,867. with the difference being financed by the Hamilton Tennis Club contribution of \$75,000. and monies to be committed by the Guarantee Company of North America of \$187,867.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Wilson, Agostino, Eisenberger, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Copps. -1.

CARRIED.

2. (a) That permission be granted to the Greek Canadian Church to erect a tent at Inch Park and to sell alcoholic beverages during their Annual Greek Fest to be held on 1993 August 20, August 21 and August 22.
- (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for the issuance of a Special Occasion Permit.
- (c) That approval be subject to the same terms and conditions contained in the original approval by City Council on 1993 May 25 as outlined in Section 4 of the TENTH Report of the Parks and Recreation Committee for 1993.

Recorded vote on 2 (a).

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, D'Amico, Ross. -14.

NAYS: Aldermen Jackson, Merling, Anderson. -3.

CARRIED.

3. (a) That permission be granted to the Canusa Games organizers to provide parachute jumpers at the Opening Ceremonies being held at Bernie Arbour Stadium on 1993 August 6, to be operated by the St. Catharines' Parachute Club.
 - (b) That proof of \$5 million public liability insurance for property damage and bodily injury naming the City as additional insured be provided.
4. (a) That Pier-4 Park be approved as a pilot site for the integration of Street Vendors in Parks.
 - (b) That staff be authorized to work with the business community adjacent to Pier-4 Park for the operation of the concession "pilct", for 1993.

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- (c) That for the purposes of this "pilot" project the provisions of Parks By-law No. 89-74 affecting the sale of food and the Licence By-law No. 93-069 regulating Refreshment Vehicles, be waived.

Respectfully Submitted,

**John Thompson
Acting Secretary**

**ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE**

1993 July 27

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its TWELFTH Report for 1993 and respectfully recommends:

1. That approval be given to City Initiative 93-A to provide for a general text amendment to Zoning By-law No. 6593 by deleting townhouses and street townhouses as permitted uses in the "D" and "G" Districts; and by deleting townhouses, maisonettes and street townhouses as permitted uses in the "DE", "DE-2", "DE-3", "E", "E-1", "E-2" and "E-3" Districts, on the following basis:
 - (a) That the "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District requirements as set out under Section 10 of Zoning By-law No. 6593 be amended by:
 - (i) deleting the word "Townhouses" from the district title so that it shall read as "(Urban Protected Residential - One and Two Family Dwellings, ETC.)";
 - (ii) deleting Section 10.(1)(iii) in its entirety; and
 - (iii) adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
 - (i) A Townhouse Dwelling subject to the "RT-10" District provisions;

- (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (b) That the "DE" (Low Density Multiple Dwellings) District requirements as set out under Section 10A of Zoning By-law No. 6593 be amended by:
 - (i) deleting Section 10A.(1)(v) in its entirety; and
 - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (8) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
 - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (c) That the "DE-2" (Multiple Dwellings) District requirements as set out under Section 10B of Zoning By-law No. 6593 be amended by:
 - (i) deleting Section 10B.(1)(v) in its entirety; and
 - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:

- (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provision;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (d) That the "DE-3" (Multiple Dwellings) District requirements as set out under Section 10C of Zoning By-law No. 6593 be amended by:
 - (i) deleting Section 10C.(1)(v) in its entirety; and
 - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
 - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
 - (10) Notwithstanding subsection (9), those lands located at Nos. 384-390 Limeridge Road East shall be deemed a "Prior Existing Use".
- (e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District requirements as set out under Section 11 of Zoning By-law No. 6593 be amended by:
 - (i) deleting Section 11.(1)(ia) in its entirety; and
 - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
 - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (f) That the "E-2" (Multiple Dwellings) District requirements as set out under Section 11B of Zoning By-law No. 6593 be amended by:
 - (i) deleting Section 11B.(1)(v) in its entirety; and
 - (ii) adding thereto the following subsection:

PRIOR EXISTING USES

- (9) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the by-law shall be permitted:
 - (i) A Townhouse Dwelling subject to the "RT-20" District provisions;
 - (ii) A Maisonette Dwelling subject to the "RT-20" District provisions;
 - (iii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (10) Notwithstanding subsection (9), those lands located at No. 1620 Upper Wentworth Street shall be deemed a "Prior Existing Use".

- (g) That the "G" (Neighbourhood Shopping Centre, etc.) District requirements as set out under Section 13 of Zoning By-law No. 6593 be amended by adding thereto the following subsection:

PRIOR EXISTING USES

- (7) The following uses existing on the date of the passing of By-law No. 93- and any alteration, extension or enlargement of the continuing uses after the passing of the By-law shall be permitted:
- (i) A Townhouse Dwelling subject to the "RT-10" District provisions;
 - (ii) A Street Townhouse Dwelling subject to the "RT-30" District provisions.
- (8) Notwithstanding subsection (7), those lands located at No. 2774 King Street East shall be deemed a "Prior Existing Use".
- (h) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
- (i) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Merling, Anderson, D'Amico. -11.

NAYS: Aldermen Cooke, Morelli, Agostino, Charters, Jackson, Ross. -6. **CARRIED.**

2. That the following resolution regarding the Federal Government's Residential Rehabilitation Assistance Programme (RRAP) be endorsed and forwarded to the Federation of Canadian Municipalities' (FCM) Standing Committee on Policies and Resolutions:

WHEREAS the Federal Government has announced the termination of funding for the Residential Rehabilitation Assistance Programme at the end of 1993;

AND WHEREAS this Programme is providing vital assistance to the owner/occupant with limited income to maintain their home in areas of life and safety items;

AND WHEREAS RRAP encourages homeowners to remain in their homes thus maintaining their dignity and easing the demand for subsidized housing which is often in short supply;

AND WHEREAS this is the only National Rehabilitation Programme available to Canadians.

BE IT RESOLVED that FCM supports the continuation of the Federal Government's Residential Rehabilitation Assistance Programme and that representation should be made to the Minister responsible for Canada Mortgage and Housing Corporation in order to outline the importance, both economically and socially of the Federally funded programme.

3. That approval be given to Zoning Application 93-13, DiCenzo Construction Company Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, to permit single-family dwellings, for the lands located east of Dizenzo Drive and south of Stone Church Road East, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-9C for presentation to City Council; and,

- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
4. That approval be given to Zoning Application ZAC-93-15, Mr. and Mrs. Russell McCro, owners, requesting changes in zoning from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District (Block "1"), and to "C" (Urban Protected Residential, etc.) District (Block "2"), to permit development of the subject lands for single-family dwellings, for property located at No. 631 Rymal Road West, as shown on the attached map marked as Appendix "B", on the following basis:
- (a) That Block "1" be rezoned from "AA" (Agricultural) District to "B" (Suburban Agriculture and Residential, etc.) District;
 - (b) That Block "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
 - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-27-E for presentation to City Council; and
 - (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
5. (a) That approval be given to amended Zoning Application 93-12, Robert Leggat, owner, requesting a change in zoning from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District modified, to permit a multiple dwelling (apartment building) not exceeding four stories in height, for property located at the northwest corner of Limeridge Road East and Upper Gage Avenue, as shown on the attached map marked as Appendix "C", on the following basis:
- (i) That the subject lands be rezoned from "AA" (Agricultural) District to "DE-2" (Multiple Dwellings) District;
 - (ii) That the "DE-2" (Multiple Dwellings) District regulations as contained in Section 10B of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special requirements:
 - (1) That Section 10B(1)(v) of Zoning By-law No. 6593 shall not apply;

- (2) That notwithstanding Section 10B(2)(ii) of Zoning By-Law No. 6593, no building or structure shall exceed four (4) stories in height;
- (iii) That the amending By-law be added to Section 19 of Zoning By-law No. 6593 as Schedule S - 1314, and that the subject lands on Zoning District Maps E-38A and E-38B be notated S - 1314;
- (iv) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38A and E-38B for presentation to City Council; and
- (v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (b) That the amending By-Law not be forwarded for passage by City Council until such time as the applicant/owner applies for and receives site plan approval.
- 6. (a) That a proposed by-law to rename Gondola Street to Duncairn Crescent in the Gourley Neighbourhood be enacted by Council; and
- (b) That the property owners on Gondola Street, Canada Post and all emergency services be provided with a written notice of the effective date of the name change.
- 7. (a) That the Minister of Environment be requested to direct GO Transit to undertake a full environmental assessment of all alternative sites for the proposed layover yard for the Hamilton GO Centre;
- (b) That GO Transit be requested to seek authorization from the Ministry of the Environment to undertake a full environmental assessment of all alternative sites for the proposed layover yard for the Hamilton GO Centre;
- (c) That the Ministry of the Environment and GO Transit be requested to hold in abeyance the decision regarding the Victoria Avenue layover yard until such time as the full Environmental Assessment is completed for all sites;

- (d) That the City advise GO Transit and the Ministry of the Environment that the City remains otherwise committed to the expansion of the GO Transit service to Hamilton;
- (e) That the Minister of the Environment, GO Transit, and each area MPP be provided with a copy of the report of the Advisory Committee on GO Transit dated 1993 July 7 and the report of the Chief Administrative Officer dated 1993 July 15.

8. That in accordance with the provisions Section 42 of the Ontario Heritage Act, 1989 a Heritage Permit be approved for the proposed addition to the Hamilton Regional Indian Centre at 712 Main Street East (a designated building in the St. Clair Heritage Conservation District), for the east, south and north elevations.

9. That approval be given to amended Zoning Application 89-57, Ascenzo Lepore, owner, requesting changes in zoning from "AA" (Agricultural) District to "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc - Holding) District (Block "1"), and to "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District (Block "2"), to permit future development for single-family or two-family detached dwellings, on lands located at Nos. 236 - 250 Rymal Road West, as shown on the attached map marked as Appendix "D", on the following basis:

- (a) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O., to Block "1" by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of Block "1" until municipal water and sewer services are available to the satisfaction of the Commissioner of Transportation and Environmental Services.

Removal of the holding restriction shall be conditional upon the availability of all such municipal water and sewers serving the subject lands to the satisfaction of the Commissioner of Transportation and Environmental Services. City Council may remove the 'H' symbol, and thereby give effect to the "R-2" District provisions as stipulated in this By-law by the enactment of an amending By-law once municipal water and sewer services are available.

- (b) That Block "1" be rezoned from "AA" (Agricultural) District to "R-2" - 'H' (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District;

- (c) That Block "2" be rezoned from "AA" (Agricultural) District to "R-2" (Urban Protected Residential One and Two-Family Dwellings, etc.) District;
 - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-17D and W-17E for presentation to City Council;
 - (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
10. (a) That approval be given by By-law for the City to enter into a Heritage Easement Agreement with the Ontario Heritage Foundation for the property at Whitehern at 41 Jackson Street West under Part 1V, Section 37 of the Ontario Heritage Act, 1989; and
- (b) That the City Solicitor be authorized and directed to take appropriate action to have this Heritage Easement implemented pursuant to the provisions of the Ontario Heritage Act, 1989.
11. (a) That the existing Lease for 1086 West 5th Street between the City of Hamilton and Willis Lingelbach and Jean Lingelbach be terminated by the City in accordance with the six (6) month notice to terminate provision in the subject lease and that demolition of all structures at 1086 West 5th Street take place upon the City receiving vacant possession and costs for the demolition be charged to Account Centre No. CH 00201 (Reserve for Parkland).
- (b) That the City Solicitor be authorized and directed to prepare the necessary notice of termination of the Lease.
- (c) That the Director of Property be authorized and directed to enter into negotiations with Willis Lingelbach and Jean Lingelbach for the purpose of obtaining an early vacant possession date of October 31, 1993.
12. (a) That the 1993 operating budget of the Barton Street B.I.A. be approved in the amount of \$5,000.

- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1993 budget as referenced in (a) above; and
- (c) That the following Schedule of Payments for 1993 be approved:

01 August 1993
01 November 1993

Note: 1992 Levy Arrears will be deducted from the two payments for 1993.

- 13. That the City of Hamilton accept the sum of \$10,430. as cash payment in lieu of the 5% land dedication in connection with "Claudette Gardens - Phase 4, (west of Garth Street and north of Rymal Road West in the Falkirk East Planning Neighbourhood), this being the cash payment required under Section 50 of the Planning Act.
- 14. That a By-law be enacted to amend By-law 85-86 regulating building permit and fees, in accordance with the Building Code Act 1992.
- 15. That a Hamilton Emergency Loan (H.E.L.P) in the amount of two hundred and fourteen dollars (\$214) be approved for Bonnie Reid, 101 Balmoral Avenue North, Hamilton. The interest rate will be 8 percent amortized over two years.
- 16. That a Commercial Facade Loan in the amount of twenty-five thousand dollars (\$25,000.) be approved for Joseph Bujan, 440 Barton Street East, Hamilton. The interest rate will be 3 percent, amortized over ten years.
- 17. That a Commercial Loan in the amount of ten thousand dollars (\$10,000.) be approved for Karen Zizzo, 1016 King Street West, Hamilton. The interest rate will be 3 percent, amortized over 10 years.
- 18. That a Designated Grant in the amount of three thousand dollars (\$3,000.) be provided to Bryan and Mary Markham, 128 St. Clair Avenue, Hamilton.
- 19. That a Designated Grant in the amount of six hundred and eighty (\$680.) be provided to Zen Masniak, 188 Markland Street, Hamilton.

20. That the Building Commissioner be authorized to issue Demolition Permits for the following:
- (a) 30 Clyde Street
 - (b) 16 Lancaster Street
 - (c) 38 Miles Road
 - (d) 184 Province Street North
 - (e) 1285 Upper Gage Avenue
21. That Section 21 of the Sixteenth Report of the Planning and Development Committee to City Council on 1990 September 25, respecting Zoning Application ZA-90-06 by Agommen Group I Ltd., owner of lands located at 260-280 King Street East be amended as follows:
- (a) amend Section 21(a)(i)(3) to modify the minimum landscape area from 698.0 m² (7,520 sq.ft) to 600.0 m² (6,458 sq.ft.);
 - (b) add the following new clause as Section 21(a)(i)(6):

"Notwithstanding Sections 18A(1)(a) and 18A(9), thirty-two (32) of the required number of parking spaces for the residential/commercial project may be provided off the site, and partially within the adjacent road allowance."
 - (c) delete Section 21(c) in its entirety and substitute the following therefore:

"That the "H" Holding Provisions of Section 36(1) of the Planning Act, R.So.O., be added as a suffix to the modified Zoning District applicable to the subject lands. Removal of the holding provision shall be conditional upon the applicant/owner receiving approval of a site plan for the subject lands and it's registration on title."
22. That Item 33.A. of the Fifteenth Report of the Planning and Development Committee to City Council on 1992 August 25, respecting Zoning application ZA-92-26 by Jung Y. Mah, for lands at 674 Upper James Street be amended as follows:
- (a) amend Item 33.A.(b)(vi) by amending the width of the required landscaped strip from "1.5 m" to "1.0 m" in width.

23. (a) That the following modifications, for the purpose of clarification, be made to Schedule "B" of Amendment No. 113 to the City of Hamilton Official Plan:
- (i) Label the thick black line to the north east of Hamilton Beach and Confederation Park as "Special Policy Area 10";
 - (ii) Delete the thick black line to the south west of Hamilton Beach from "Special Policy Area 10";
 - (iii) Label "Special Policy Area 10a"; and,
 - (iv) Add to the legend of Schedule "B" after "Special Policy Area 10a refer to Policy A.2.9.3.8" the following "and delete from Special Policy Area 10".
- (b) That the City Clerk request the Hamilton-Wentworth Region to incorporate these modifications as part of O.P.A. No. 113.
24. (a) That the Region of Hamilton-Wentworth be advised that the City of Hamilton is not opposed to the extension of watermain approximately 535 metres north of Stone Church to Mud Street provided:
- (i) the landowners fund the costs of project; and,
 - (ii) the owners of 36, 52 and 56 Mud St. enter into an agreement with the City, subject to the satisfaction of the City Solicitor recognizing that the watermain is for the existing homes only and will preclude any further development or major redevelopment.
- (b) That the City Clerk be directed to request the Region to receive Niagara Escarpment Commission comments on the proposal, as the lands are within their Development Control Area.

25. That the Building Commissioner be directed to waive the payment of \$150 in building permit fees from the Hamilton Tiger Cats regarding the outlet at 100 King Street West (Jackson Square), in the like manner as Ronald MacDonald House.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Morelli, Copps, Wilson, Agostino, Eisenberger, Merling, Anderson. -10.

NAYS: Aldermen Kiss, Agro, Drury, Charters, Jackson, D'Amico, Ross. -7. **CARRIED.**

26. That the Building Commissioner be authorized and directed to refund the following administrative fees:

**Type of Zoning Verification
/Property Report**

Percentage of Refund

- | | |
|-----------------------------|---|
| (a) 48-hour express service | 100 percent if the certificate of zoning verification/property report is not issued with 48 hours (refund \$120) |
| (b) normal service | 50 percent if the certificate of zoning verification/property report is not issued within 10 working days (refund \$40) |

27. (a) That a purchase order be issued to Aldershot Landscape Contractors Limited, Burlington, in the amount of \$346,198.50, including all taxes and a contingency of \$70,000, being the lowest of four tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That this expenditure be financed through Central/Beasley PRIDE Account No. CF 5200-429002003 (\$75,000) and Central/Beasley PRIDE H.INT. Account No. CF 5200-429102003 (\$271,198.50).
- (c) That a contract be entered into satisfactory to the City Solicitor.

28. In reference to Item #4 of the Sixth Report of the Planning and Development Committee Report (March 30, 1993) regarding the funding for relocation and structural investigation of the Bamberger House (11-13 Holmes Avenue), that the resolution be amended delete Part (b):

Part (b) "that the City's contribution be conditional upon the other participants raising the balance of the total estimated project costs of \$24,045."

29. That the appropriate staff from the Planning and Law Departments be directed to attend the Ontario Municipal Board Hearing scheduled for October 13, 1993 respecting Land Severance Application H-7-93 (11 and 15 Artistic Boulevard).

30. That leave be granted to introduce the following Bills:

- (a) C-52 By-law to Amend Zoning By-law No. 6593 respecting townhouses in multiple dwelling districts
- (b) C-56 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Nos. 89-91 Vine Street
- (c) C-57 By-law to Amend Zoning By-law No. 6593 respecting Lands Located South of Mud Street and West of Upper Mount Albion Road
- (d) C-58 Zoning By-law No. 6593 respecting Land Located at Municipal No. 674 Upper James Street
- (e) C-59 By-law to Establish Site Plan Control respecting Land Located at Municipal No. 674 Upper James Street
- (f) C-60 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Number 631 Rymal Road West
- (g) C-61 By-law to authorize Building Permits and Fees
- (h) C-62 By-law to Amend Zoning By-law No. 6593 respecting Lands Located at Municipal Number 260-280 King Street East

1993 July 27

- (i) C-64 By-law to Amend Zoning By-law No. 6593 respecting Lands Located East of DiCenzo Drive and South of StoneChurch Road East

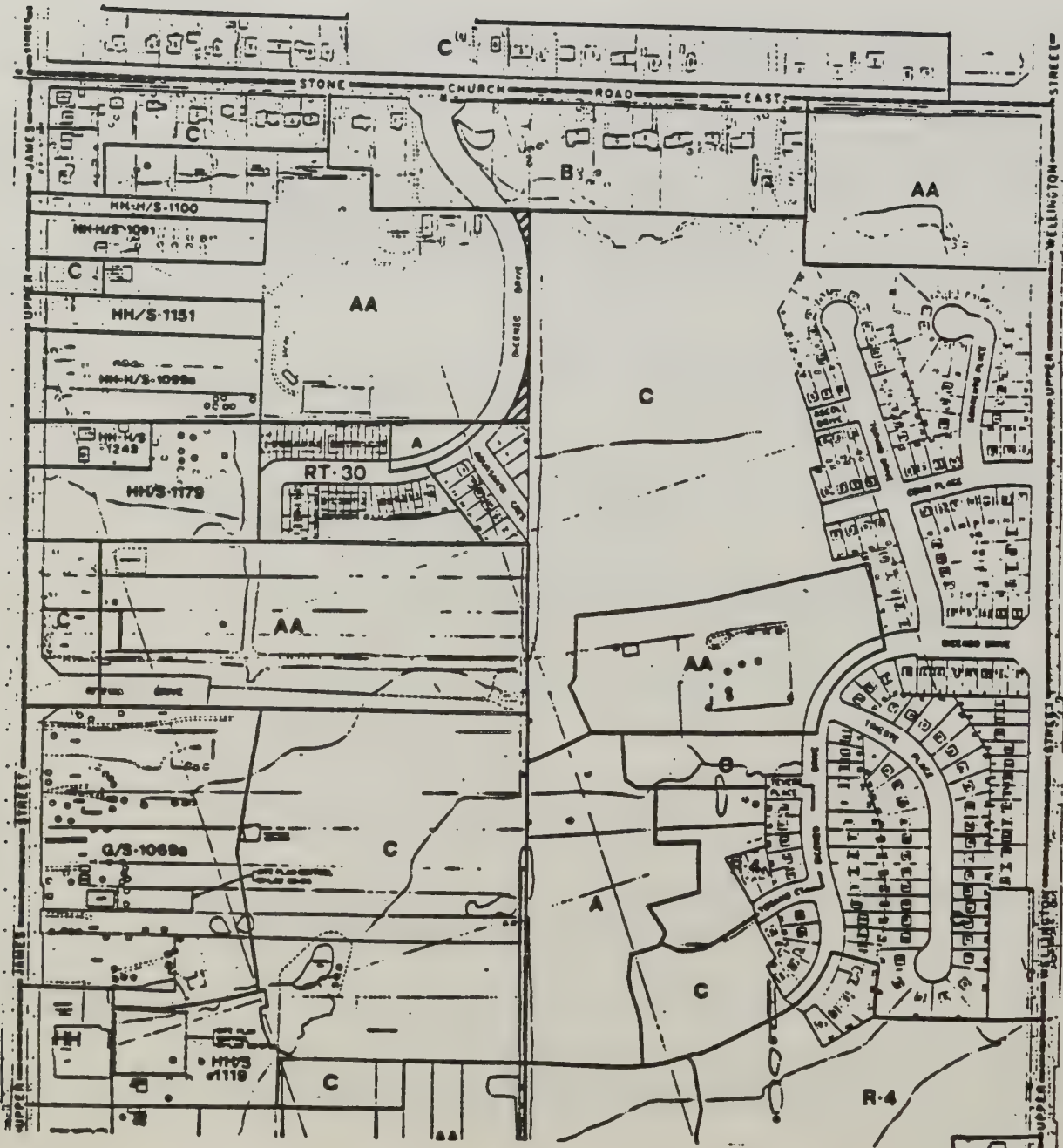
RESPECTFULLY SUBMITTED,

ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE

Tina Agnello, Secretary
1993 July 21

1993 July 27

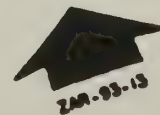
Appendix "A" as referred to
in Section 3 of the TWELFTH
Report of the Planning and Development
Committee for 1993



Legend
895

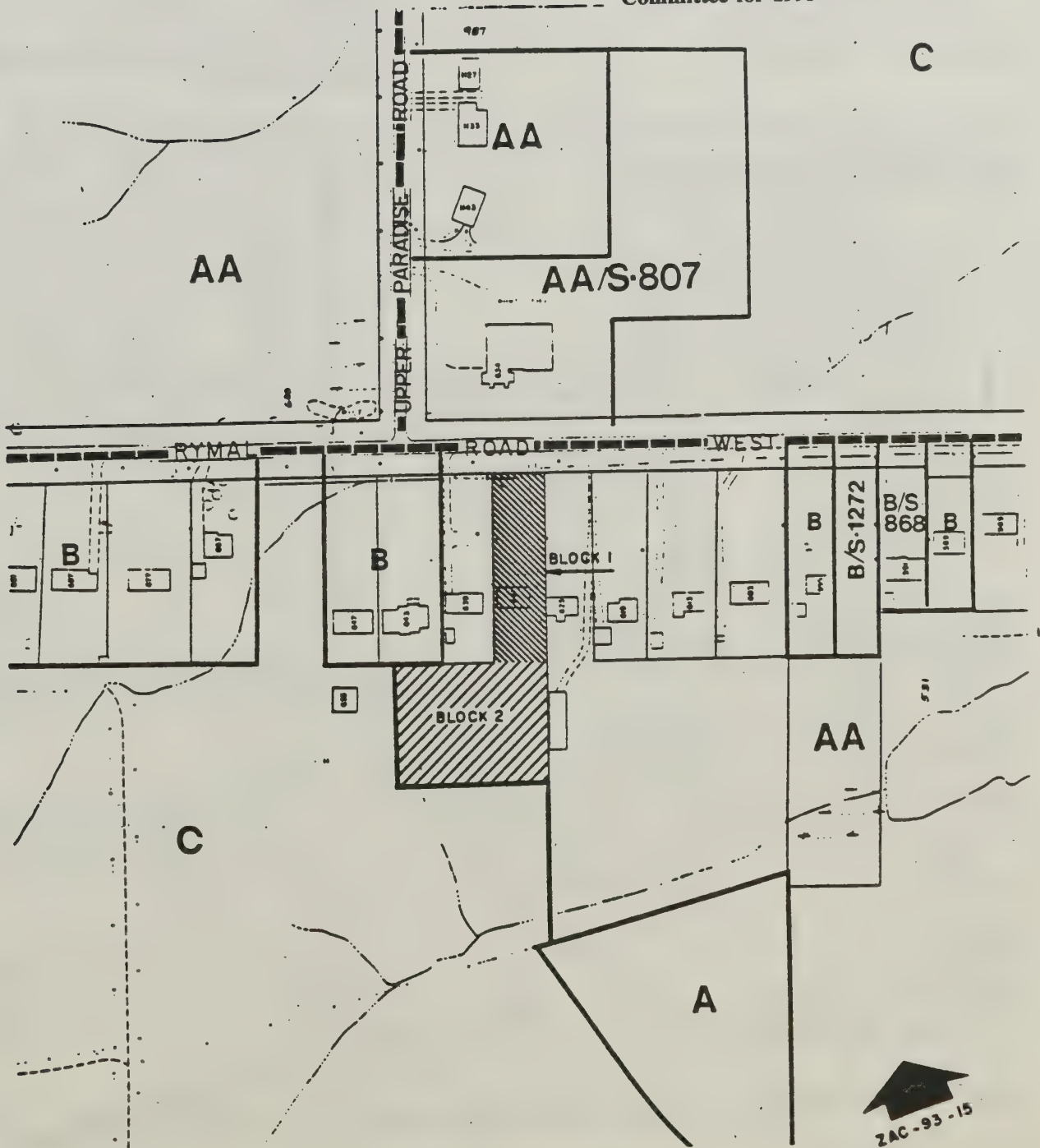


Site of the Application



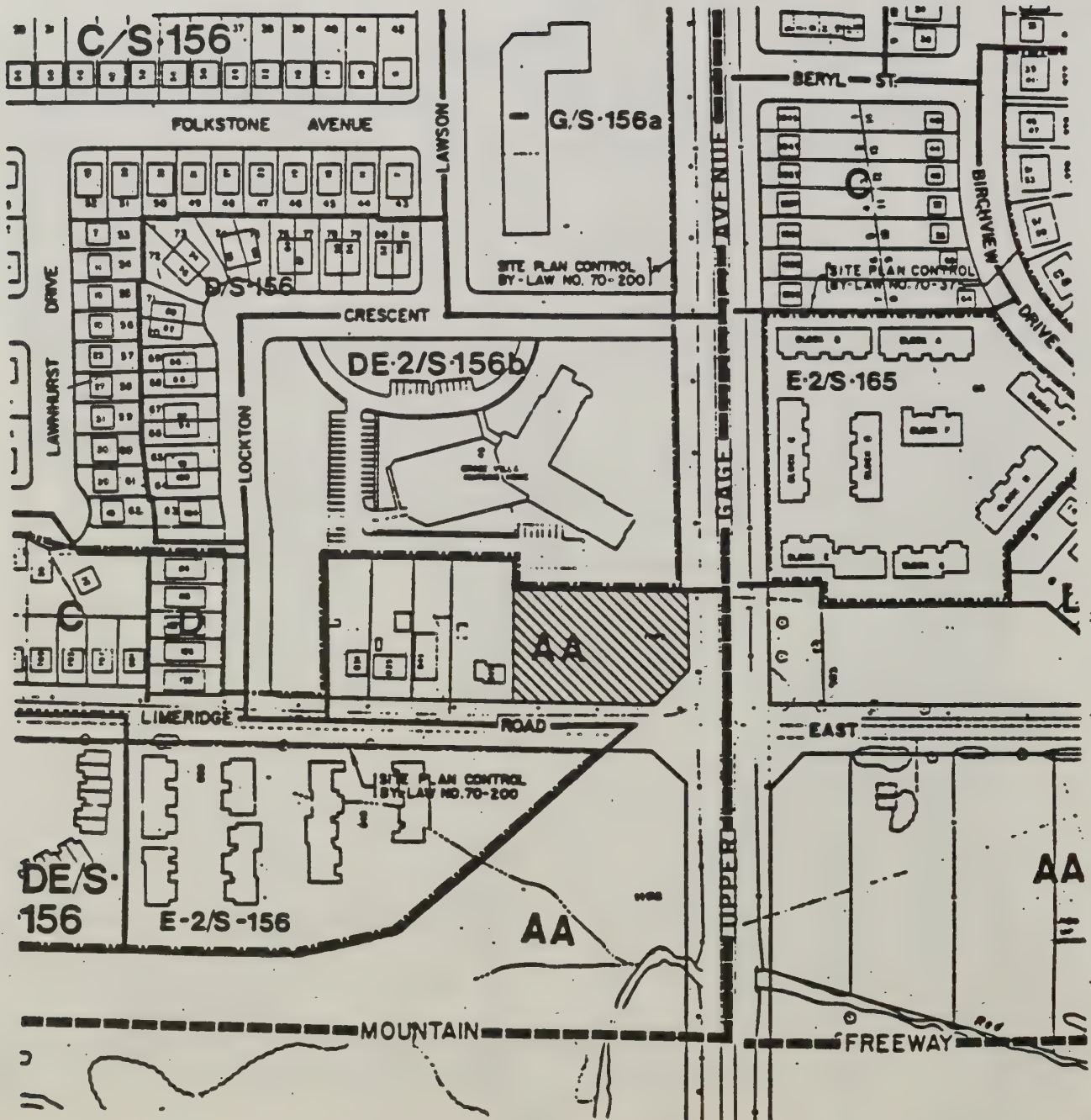
1993 July 27

Appendix "B" as referred to
in Section 4 of the TWELFTH
Report of the Planning and Development
Committee for 1993



1993 July 27

Appendix "C" as referred to
in Section 5 of the TWELFTH
Report of the Planning and Development
Committee for 1993



Legend
897

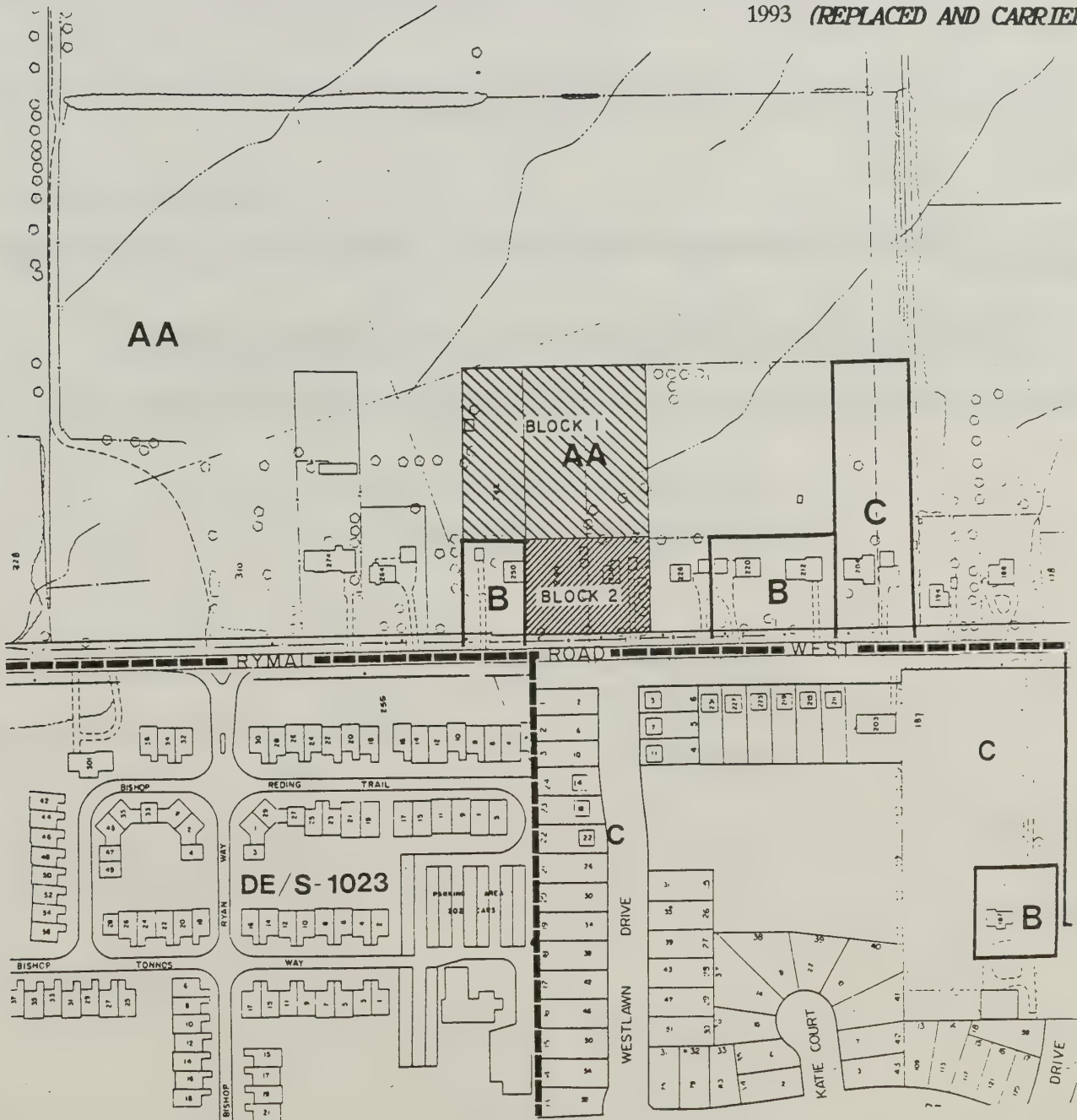


Site of the Application

ZAC-93-12

1993 July 27

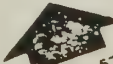
Appendix "D" as referred to
in Section 9 of the TWELFTH
Report of the Planning and
Development Committee for
1993 (REPLACED AND CARRIED)



Legend

Proposed Changes in Zoning From "AA" (Agricultural) District to:

- | | | |
|---------|---|--|
| BLOCK 1 |  | "R-2" - "H" (Urban Protected Residential - One and Two-Family Dwellings, etc. - Holding) District. |
| BLOCK 2 |  | "R-2" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District. |


ZA 89 - 57
AMENDED

1993 July 27

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its **THIRD** Report for 1993 and respectfully recommends:

1. That the Cab Driver Licence application of Steven Manion be denied.

Confidential background information provided to members of City Council under separate cover.

RESPECTFULLY SUBMITTED

**ALDERMAN T. COOKE
CHAIRPERSON**

**CITY OF HAMILTON LICENSING
COMMITTEE**

Stella Glover
Secretary

1993 July 14

1993 July 27

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **FIRST** Report for 1993 and respectfully recommends:

1. That Sam Cino and Doris Anderson be appointed as citizen members to serve on the Mayor's Race Relations Advisory Council for a term to expire 1994 November 30 to fill vacancies created by resigning members.

RESPECTFULLY SUBMITTED

Robert M. Morrow
Mayor

Stella Glover, Secretary
Mayor's Race Relations Committee

1993 June 28

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FOURTEENTH** Report for 1993 and respectfully recommends:

1. That the Offer to Settle the expropriation of 63 Market Street dated 1993 June 10, and amended by letter dated 1993 July 15, for payment to the claimants Marvin Jerome Wasserman and Ideal Furniture Limited the sum of \$358,500. plus professional fees of \$55,605.73, and interest of \$49.80 per day from 1993 August 19, be accepted with the costs charged to Account Centre No. CH 00102 (Reserve for Property Purchases).
2.
 - (a) That the City of Hamilton authorize the licensing of Monte Carlo Events up to 4:00 a.m., on a 6-month trial basis, effective 1993 August 1; and,
 - (b) That Licence By-law 93-069 be amended to permit Public Halls to extend the hours of closing to 4:00 a.m., on a 6-month trial basis, effective 1993 August 1, for the holding of Provincially licensed Monte Carlo Events; and,
 - (c) That the Minister of Consumer and Commercial Relations be petitioned to grant the City of Hamilton the authority to vary the closing hours for Provincially licensed Monte Carlo Events to be held in different areas of the City; and,
 - (d) That the City Solicitor be authorized to prepare the appropriate amending By-law for presentation to City Council.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, D'Amico, Ross. -10.

NAYS: Aldermen Kiss, Copps, Wilson, Charters, Jackson, Merling, Anderson. -7. **CARRIED.**

3.
 - (a) That as referred to in Section 1 of the Tenth Report for 1993 of the Transport and Environment Committee, the City Solicitor be authorized to prepare an appropriate By-Law to construct an alley first south of Cannon Street East from Wentworth Street to approximately 72 m westerly under the Local Improvement Act at an estimated cost of \$27,900., with a City's share of \$16,390. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$11,510. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years.
 - (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$11,510. for a term not to exceed 20 years for the above project.
4. That as referred to in Section 3 of the Tenth Report for 1993 of the Transport and Environment Committee, the City's share of services in:
 - (a) "Orchard Park Estates - Phase 2" at a cost of \$3,696.; and,
 - (b) "Orchard Park Estates - Phase 3" at a cost of \$8,260.,be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
5.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the Canada Employment Centre for Students:
 - (i) To use the City Hall Forecourt on Monday, 1993 June 28 at 11:00 o'clock a.m. for a ceremony to officially commence Hire-A-Student Week; and,
 - (ii) To fly the Hire-A-Student flag at City Hall from 1993 June 28 - July 5 during Hire-A-Student Week.
 - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not interfere with any other activity.

6. That approval be given to the action taken by the City Clerk in authorizing the Spiritual Assembly of the Baha'is of Hamilton to use the City Hall forecourt on Friday, 1993 July 2 from 10:00 a.m. to 6:00 p.m. for the purpose of giving out literature and answering questions.
7.
 - (a) That permission be granted to the Big Brother Association of Burlington and Hamilton-Wentworth Inc. to use the City Hall west parking lot (directly siding onto Bay Street) on Sunday, 1993 September 26 from 9:00 a.m. to 4:00 p.m. for a pit area and barbecue during their Soap Box Derby; and,
 - (b) That access be provided to the first floor City Hall washrooms during the Big Brother Soap Box Derby; and,
 - (c) That the City Clerk be authorized to approve of a similar use in future years, provided it does not interfere with any other activity and subject to the concurrence of the Parking Authority.
8.
 - (a) That approval be given to the request of Jobs Ontario Youth to use the Council Chambers on Thursday, 1993 August 26 from 7:00 p.m. to 10:00 p.m. for an Awards and Recognition Social Night for the participating youths and employers in the Hamilton area; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
9. That approval be given to the request of the Royal Botanical Gardens to display an enlarged post card of the Gardens, signed by visitors, on the second floor of City Hall from 1993 August 4 - 11.
10.
 - (a) That approval be given to the request of the Mayor's office on behalf of the Mayor's office in Fukuyama, Japan, to exhibit a collection of thirty photographs and posters featuring the twin city of Fukuyama on the second floor foyer from 1993 September 12 - 30; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.

11.
 - (a) That approval be given to the action taken by the City Clerk in authorizing the Multiple Sclerosis Society of Canada to use the City Hall forecourt on Tuesday, 1993 July 20 from 10:00 a.m to 1:00 p.m. for the purpose of welcoming Michael Pigeau to the City of Hamilton as part of his "Driving for a Cure" for the Multiple Sclerosis Campaign; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
12. That approval be given to the request of the India-Canada Society to use the City Hall forecourt and Room 233 (and in the event of inclement weather, the Council Chamber and first and second floor foyer areas of City Hall) on Saturday, 1993 October 2 from 8:00 a.m. to 8:00 p.m. to celebrate the Twentieth Anniversary of the India-Canada Society by holding an "India-Fest" Cultural Fair to include the following events:
 - (a) Opening ceremonies and artistic cultural dances and demonstrations; and,
 - (b) The display of India's rich diversity in clothing, art/crafts, language, religion, etc. through general displays on the forecourt; and,
 - (c) The sale of Indian food on the forecourt.
13. That the City Council consent to the use of the name "Hamilton" in the proposed incorporation of the Hamilton Bid Depository Inc.
14.
 - (a) That approval be given to the appointment of Lloyd Staley, Smoking Control Officer, as a Municipal Law Enforcement Officer; and,
 - (b) That the City Solicitor be authorized and directed to prepare the necessary By-law for presentation to City Council.

15. That the City Treasurer be directed to close the following Capital Project Account with the excess funding to be transferred to its original source of financing:

CAPITAL CENTRE #	PROJECT DESCRIPTION	AUTHORIZED GROSS COST	EXPENDED/ COMMITTED TO DATE	BALANCE AVAILABLE	SOURCE OF FINANCING
489151004	Breathing Apparatus Conversion	\$ 750,000.	\$602,310.	\$147,690.	Reserve for Capital Projects

16. That a purchase order be issued to Sheehan's Truck Centre Inc., Stoney Creek, in the amount of \$101,384., including all taxes and trade-in, for the replacement of one tandem two-way sander/plow truck Unit No. 9677 for Fleet Services, being the lowest of six tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
17. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 July 14, attached herewith and marked Appendix "A", be approved.
18. (a) That the Chairperson of the French Sub-Committee or his designate be authorized to attend the Fourth Annual Association Francaise des Municipalities de l'Ontario Annual Meeting and Convention to be held in Toronto from 1993 August 20-22; and,
- (b) That the cost of attending the Fourth Annual Association Francaise des Municipalities de l'Ontario Annual Meeting and Convention in Toronto by the Chairperson of the French Sub-Committee or his designate, in the amount of \$664., be charged to the Legislative Travel Account No. CH 55201-10000.

19. That the following resolution from the Board of Education for the City of York respecting Stronger Crime Prevention Measures, be received:

"That the Parliament of Canada be called upon to enact legislation providing for the elimination of the Young Offenders' Act, harsher sentences for violent crimes (e.g. murder or those involving weapons), a referendum on capital punishment, and a complete revision of the Criminal Justice System of this Country."

20. That the following resolution from the City of North York respecting Interprovincial Trade Barriers, be received:

"WHEREAS presently Quebec based Companies have an unfair advantage over Ontario based Companies in bidding on Construction Contracts; and,

WHEREAS this advantage results from Quebec laws prohibiting non Quebec Companies from bidding on certain contracts in Quebec; and,

WHEREAS Interprovincial Trade practices should be eliminated in Canada.

THEREFORE BE IT RESOLVED that the City of North York request the Provincial and Federal Governments to negotiate with Quebec and other Provinces to eliminate or reduce Interprovincial Trade Barriers."

21. (a) That the Optimist Club of East Hamilton be allowed to lease approximately 5,770 square feet of space in the Kenilworth Avenue Composite Building (125 Kenilworth Avenue North) for Community Centre purposes.

- (b) That the Hamilton Fire Department be allowed to use approximately 3,000 square feet of space vacated by the Hamilton-Wentworth Police Station for safety and improved operational purposes.
 - (c) That the Hamilton-Wentworth Police Department be allowed to use the former Inspector's Office (120 square feet) for a Community Based Police location.
 - (d) That the Junior Achievement of Hamilton-Wentworth be allowed to lease approximately 6,379 square feet in the Upper Wentworth Composite Building.
 - (e) That the Director of Property be authorized to negotiate rental terms with the Optimist Club for Kenilworth Avenue Composite and the Junior Achievement for Upper Wentworth Composite.
22. (a) That the Canadian Imperial Bank of Commerce be selected to provide banking services for the City of Hamilton for a five year period commencing 1993 October 18; and,
- (b) That approval be given to enter into appropriate contracts or agreements, to the satisfaction of the City Solicitor.
23. That the position of Assistant Traffic Signal Foreman/Woman, Traffic Operations Division, Traffic Signal Section be deleted and that a second Traffic Signal Foreman/Woman position be created.
24. That approval be given to H.E.C.F.I. to commit up to \$100,000. from the 1994 Current Budget for the Special Event Subsidy Fund.
25. That approval be given to the request of the Coalition for the Protection of Public Services to use the City Hall forecourt and related equipment on Tuesday, 1993 July 27 from 6:00 p.m. to 8:00 p.m. for the purpose of holding a Rally to protest the Social Contract.

26. That a purchase order be issued to Julian Roofing (Ontario) Limited, Stoney Creek, in the amount of \$92,555. including all taxes and \$10,000. contingency to re-roof Sir Winston Churchill Recreation Centre, being the lowest of four acceptable quotations received in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation, and be financed through Major Maintenance (93) Account No. CF319341005.
27. That leave be granted to introduce the following Bills:
- (a) Bill H-48 A By-law to Appoint a Municipal Law Enforcement Officer.
 - (b) Bill H-49 A By-law to Provide for the Hours of Operation for Monte Carlo Licences.
 - (c) Bill H-50 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
28. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Musicfest being held at Hess Village Pedestrian Mall, 1993 July 30 and 31, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
 - (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control.
- ADDED AND CARRIED.**

29. (a) That the Liquor Licence Board of Ontario be advised that Hamilton City Council is aware of Bluesfest being held at Hess Village Pedestrian Mall, 1993 August 27 and 28, and deems this community festival to be of municipal significance to the City of Hamilton; and,
- (b) That the City of Hamilton has no objection to the issuance of a temporary extension of a liquor licence to the proprietors of Amigos Hot House and Scotsman Pub on George Street, subject to the following conditions:
- (i) That the applicant meet all the requirements of the Liquor Licence Board of Ontario for the extension of their liquor licence to an outside designated area of the licenced establishment; and,
- (ii) That the applicant meet all the requirements of the Hamilton-Wentworth Regional Police with respect to policing, security and crowd control.
- ADDED AND CARRIED.

RESPECTFULLY SUBMITTED,

ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE

Charlene Touzel
Acting Secretary
1993 July 22

Appendix "A" referred
to in Section 17 of the
FOURTEENTH Report of the
Finance and Administration
Committee for 1993.

1993 July 27

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Bruce Brokar	I	Lifeguard I (14F)	Culture & Recreation	Replacing Mr. E. Fisher promoted, Feb. 01/93 Mr. L. Cowles terminated, Oct. 26/92	\$32,692.92 to \$36,743.20	June 26/93
Ms. Tracy Jollimore	I	Receptionist/Purchasing (7E)	Treasury	Replaced Ms. P. Empey retired, May 31/93	\$25,629.24 to \$27,811.16	June 22/93
Mr. Daniel Murphy	I	Greenkeeper II (D13)	Public Works	Replacing Mr. R. Collins - promoted, March 08/93 New Position, Council Approved, Jan. 28/92	\$35,686.56	June 28/93
Mr. Randal Newstead	I	Lieutenant (C7)	Fire	Replacing Mr. P. Meredith - promoted, Apr. 11/93 Mr. M. Hanson - retired, Nov. 30/92	\$57,934.32	June 27/93

Prepared July 14/93

Status

Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. James Steep	I	Lieutenant (C7)	Fire	Replacing Mr. P. Marson - promoted, Apr. 11/93 Mr. N. McFayden - retired, Sept. 30/92	\$57,934.32	June 27/93

Prepared July 14/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Kim Goodfellow	Manager of Support Services	Information Systems	Resigned	16 years, 4 months	June 18/93
Mr. Gilbert Lecomte	Gardener II	Public Works	Retired	8 years, 7 months	June 30/93
Mr. John Sloan	Caretaker	Property	Retired	26 years, 3 months	June 30/93

Prepared July 14/93

Glossary of Terms

Terminated - long term disability
- discharge
- downsizing
- redundant

Resigned - personal betterment
- personal reasons

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its **EIGHTH** Report for 1993 and respectfully recommends:

1. That the funding adjustments outlined in Appendix "A" required to offset the projected 1993 effects of the Provincial Budget and the Expenditure Control Plan be approved, and the following enabling resolutions enacted:
 - (a) That the provision for Unconditional Grants revenue be reduced by \$1,660,000.
 - (b) That an additional provision be made for the following expenditures due to 8% Provincial Sales Tax as introduced in the Province's May Budget:

- Group Benefits (Blue Cross, Group Life, Long Term Disability)	209,740
- Property/Casualty/Auto Insurance	10,720
- Other initiatives	<u>25,000</u>
	\$ <u>245,460</u>
 - (c) That the current policy of crediting interest earned on work-in-progress accounts to the Reserve for Capital Projects be amended by diverting interest income to the City's general fund as of August 1, 1993 for all work-in-progress accounts including Hamilton Entertainment Convention Facilities Inc., Hamilton Public Library and excluding Hamilton Parking Authority. The estimated interest to be earned for 1993 would amount to \$400,000.
 - (d) That a provision be made to transfer \$239,790 from the Reserve for Debt Charges to finance part of above expenditure.

- (e) (i) That Schedule "4" of Lotteries By-law 92-006, respecting municipal licence fees, be amended to increase the Bingo lottery and Raffle lottery fees from 2% to 3% of the total retail value of the prizes, effective September 1, 1993; and

- (ii) That the City Solicitor be authorized and directed to prepare the necessary amending by-law.

- (f) and that staff be directed to bring back further recommendations for funding adjustments in the amount of \$88,420. to offset the identified funding requirements. **ADDED AND CARRIED.**

2. That Section 5 of the Thirteenth Report of the Finance and Administration Committee referred by City Council to Committee of the Whole on June 29, 1993 and reading as follows, be approved:

5. (a) That the proposal of the Art Gallery of Hamilton to create a sculpture court on Commonwealth Square be approved; and,

- (b) That the City of Hamilton provide funding estimated at \$110,000. as its share of the infrastructure required to prominently display 11 pieces of sculpture on Commonwealth Square valued at approximately \$2,000,000., thereby creating greater activity in the area, providing a more secure space and potentially reducing the vandalism costs to the City of approximately \$14,000. per annum; and,

- (c) That the Treasurer recommend the method of financing.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

NAYS: Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico. -7. **CARRIED.**

3. That Section 1 of the Sixth Report of the Committee of the Whole which was referred back by City Council at its meeting held 1993 June 29 to City Council and reading as follows, be approved:

1. (a) That as referred to in Section 5 of the Thirteenth Report for 1993 of the Finance and Administration Committee, the funds for the proposal of the Art Gallery of Hamilton to create a sculpture court on Commonwealth Square in the amount of \$110,000 as the City's share of the infrastructure required to prominently display 11 pieces of sculpture on Commonwealth Square be funded by making a reduction of the remaining Capital Contingency of \$110,000.

(b) That the funding noted in (a) be financed from the Reserve for Capital Projects Account Centre No. CH 00203.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Agostino, Jackson, Ross. - 10.

NAYS: Aldermen Copps, Wilson, Eisenberger, Charters, Merling, Anderson, D'Amico. -7.

CARRIED.

4. That leave be granted to introduce the following Bill:

Bill I-1: A By-law to Amend By-law 92-006 respecting Lottery Licence Fees.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
COMMITTEE OF THE WHOLE**

J.J. Schatz, Secretary
1993 July 27

The Corporation of the City of Hamilton
1993 – 1995 Funding Sources To Offset
Expenditure Control Plan Reductions And Provincial Budget

Appendix "A" as referred to in
Section 1 of the Eighth Report of
the Committee of the Whole for 1993.

1993 July 27

DESCRIPTION OF PROGRAM / SERVICE (1)	EFFECTIVE DATE (2)	AMOUNT \$			COMMENTS (6)
		1993 (3)	1994 (4)	1995 (5)	
<u>Financial Accounts</u>					
1 Draw From Reserve For Debt Charges	Immediate	239,790	491,800	787,890	Limited funds are in the Reserve. Dependent upon capital financing adjustments.
2 Redistribution Of Interest Earnings On Work – In – Progress	01 – Aug – 93	400,000	1,100,000	800,000	By diverting interest income on excess (or pre) financing of Work – in – progress accounts would increase the source of funds available in the Current Budget temporarily and decrease the source of funds available for capital projects (Reserve For Capital Projects). The source of funding would fluctuate based on the availability of pre – financing, level of expenditure, and sometimes it may not be economical.
3 Public Works – Anticipated Savings In Overall Operations		1,000,000	-	-	Detailed review of Public Works operations indicates potential overestimation of Snow requirements, therefore anticipated overall Departmental surplus.
<u>Revenues</u>					
4					

1993 July 27

**1993 - 1995 Funding Sources To Offset
Expenditure Control Plan Reductions And Provincial Budget**

DESCRIPTION OF PROGRAM / SERVICE (1)	EFFECTIVE DATE (2)	AMOUNT \$			COMMENTS (6)
		1993 (3)	1994 (4)	1995 (5)	
<u>Revenues – cont.</u>					
5					
6 Clerks – Newly Scheduled Bingo Events – Revenue	Ongoing	18,000	36,000	36,000	Revenue from newly scheduled bingo events for which no 1993 revenue was budgeted.
7 Clerks – Increase Lottery Fee	01 – Sep – 93	48,000	144,000	144,000	Increase from 2% of receipts to 3% which is permitted by Provincial Legislation.
<u>Service Reductions</u>					
8 Recreation – Program And Event Reductions	01 – Aug – 93	20,000	40,000	40,000	Specific to Wintertfest and Participation Challenge
9 Recreation – Special Events Budget Reduced By 30%	01 – Aug – 93	10,000	30,000	30,000	Revise/Downsize Christmas & New Years Celebrations.
10					
11					

**1993 - 1995 Funding Sources To Offset
Expenditure Control Plan Reductions And Provincial Budget**

DESCRIPTION OF PROGRAM / SERVICE (1)	EFFECTIVE DATE (2)	AMOUNT \$			COMMENTS (6)
		1993 (3)	1994 (4)	1995 (5)	
<u>Service Reductions – cont.</u>					
12					
13					
14 Recreation – Daily Operations	01 – Aug – 93	7,670	23,020	23,020	Facility signage, furnishings, other.
15 Recreation – Huntington Park Recreation Centre Annualized Costs	Immediate	30,000	0	0	The 1993 Budget reflects an annualized amount for additional operating costs attributable to the renovations / addition.
16 Culture – Museum Operations And Public Programs	01 – Aug – 93	10,610	31,840	31,840	Museum functions at basic level. Four museum operations.
17 Property – Increase The Ice "Slab" Temperature At City Arenas From Current Levels To The Existing Standard Of 21 F	01 – Oct – 93	16,000	54,000	54,000	Energy (hydro) savings. Each arena would be equipped with a device to help regulate ice temperature at a cost per unit of approx. \$500 (8 arenas). Mutual agreement with Culture & Recreation.
18 Property – Eliminate The Use Of Hot Water To Melt Snow left By Zamboni Drivers At Arenas	01 – Oct – 93	1,250	5,000	5,000	Energy (heat) savings. Mutual agreement with Culture & Recreation.

The Corporation of the City of Hamilton
1993 - 1995 Funding Sources To Offset
Expenditure Control Plan Reductions And Provincial Budget

Appendix A

DESCRIPTION OF PROGRAM / SERVICE (1)	EFFECTIVE DATE (2)	AMOUNT \$			COMMENTS (6)
		1993 (3)	1994 (4)	1995 (5)	
<u>Service Reductions – cont.</u>					
19 <i>Property</i> – Modify Existing Security Services In City Hall	01 – Aug – 93	10,420	25,000	25,000	Non – business hours and weekends would be covered by periodic inspection only. Reduction package presented to Feb.26/93 Committee of the Whole and not approved.
20 <i>Property</i> – Eliminate Use Of Outside Electrical Contractor In City Hall With Respect To Lighting Contract Services In City Hall	01 – Apr – 94	0	11,730	15,640	Services would be rendered by caretaking and maintenance staff with a minimal effect on caretaking and maintenance service. A balance of \$1,500 would remain for emergencies. The possibility of earlier implementation is being investigated by staff.
21 <i>Property</i> – Huntington Park Recreation Centre – Renovations / Addition	Immediate	5,300	0	0	The 1993 Budget reflects an annualized amount for additional operating costs attributable to the renovations / addition.
22					
TOTAL FUNDING OF PROVINCIAL INITIATIVES		<u>1,817,040</u>	<u>1,992,390</u>	<u>1,992,390</u>	

Minutes of Hamilton City Council
1993 July 30th
9:30 o'clock a.m.
Room 233, City Hall

URBAN M
AUG 1993
GOVERNMENT DOCUMENTS

The Council met:

Present: Mayor Morrow,
Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino,
Charters, Jackson, Merling, Anderson, D'Amico.

Absent: Alderman V. Agro - other business
Alderman D. Drury - other business
Alderman F. Eisenberger - vacation
Alderman D. Ross - other business

It was moved by Alderman Cooke and seconded by Alderman Merling that Council move into Committee of the Whole to consider the Report of the City Council Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - NINTH REPORT
Social Contract Agreement - Non Union, Local 167 and 1041

It was moved by Alderman Cooke and seconded by Alderman Merling that the Report of the Committee of the Whole on the Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Merling that Bill I-02 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Merling that Council move into Committee of the Whole to consider Bill I-02, with Mayor Morrow in the chair. (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

1993 July 30

It was moved by Alderman Cooke seconded by Alderman Merling that the Report of the Committee of the Whole on Bill I-02, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Merling that Bill I-02 be now read a third time, signed, sealed and enrolled as a By-law.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Morelli, Copps, Wilson, Agostino, Charters, Jackson, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 10:15 o'clock a.m.

* * * * *

Taken as read and approved.

Mayor Morrow

S. G. Hollowell,
Acting City Clerk
1993 July 30

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its NINTH Report for 1993 and respectfully recommends:

1.
 - a) That the local agreement between C.U.P.E. Local 167 and the City of Hamilton be approved and implemented, subject to ratification by the membership of C.U.P.E. Local 167, in accordance with the terms therein, and
 - b) That the Commissioner of Human Resources be authorized and directed to file the approved agreement with the Social Contract Secretariat of the Government of Ontario
 - c) That the Commissioner of Human Resources be authorized and directed to release the local agreement on August 6, 1993 after its presentation to the membership of C.U.P.E. Local 167
2.
 - a) That the local agreement for non-union staff attached as Appendix A be approved and implemented in accordance with the terms therein; and
 - b) That the Commissioner of Human Resources be authorized and directed to file the approved agreement with the Social Contract Secretariat of the Government of Ontario
3. That the Chief Administrative Officer of the City of Hamilton be authorized and directed to take all necessary steps to meet the obligations of the City under sections 27, 28, and 29 of Part VII of the Social Contract Act with respect to its employees who are members of C.U.P.E. Local 1041.
4. That the terms and conditions of the local agreement for City non-union staff be applied to the members of Hamilton City Council.

1993 July 30

5. That leave be granted to introduce the following Bill:

Bill I-02: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN,
COMMITTEE OF THE WHOLE**

S. G. Hollowell, Acting Secretary
1993 July 30

PLAN

TO ADDRESS SOCIAL CONTRACT REDUCTIONS MANDATED BY THE GOVERNMENT OF ONTARIO

FOR

NON-BARGAINING UNIT EMPLOYEES OF THE CORPORATION OF THE CITY OF HAMILTON¹

1: PURPOSE

This Plan recognizes that The Corporation of the City of Hamilton and its non-bargaining unit employees have a shared responsibility under The Social Contract Act to achieve the financial objectives of the Act while maximizing service provision and the preservation of jobs. This document is designed to provide a framework that will enable the Corporation and its employees to jointly develop and implement measures that adhere to the provisions of The Social Contract Act as presented in The Municipal Sectoral Agreement, July 20, 1993.

2: DURATION OF PLAN

This Plan is in effect for the period of June 14th, 1993 to March 31st, 1996 or until such time as the The Social Contract Act is repealed.

3: FINANCIAL TARGET FOR NON-BARGAINING UNIT EMPLOYEES CITY OF HAMILTON

3.1 This Plan recognizes that the Province allocated its reduction targets by using a total compensation formula and further that The Social Contract Act requires a "fair and equitable" distribution of the target to each affected group within the municipality.

3.2 The targets developed under The Social Contract Act for the non-bargaining unit employee group will be a fair and equitable proportion of the target established by the Minister of Municipal Affairs on September 6, 1993. This information will be shared with the non-bargaining employee group upon its receipt.

The Plan will be modified to reflect that the non-bargaining employee group will receive its proportionate share of any reduction or increase in target given by the Province.

3.3 The Plan will not adversely affect employees earning less than \$30,000 annually, excluding overtime.

4: PLAN TO ACHIEVE THE FINANCIAL TARGET

4.1 The financial target of The Social Contract Act will be achieved through a permanent reduction in compensation costs to the Corporation. This reduction will

¹Includes City of Hamilton, Parking Authority and HECFI

be achieved through organizational restructuring and the identification of operational efficiencies. The Corporation will consider a range and/or mix of measures to facilitate this restructuring which will include, but not be limited to, voluntary early retirement programme, a voluntary separation programme, a voluntary unpaid leave programme, voluntarily reduced hours of work, and/or a voluntary job sharing programme.

- 4.2 Mechanisms will be developed, in consultation with the employees, to identify, measure and quantify operational efficiencies and to determine how those efficiencies will be credited to the financial target established under The Social Contract Act and the Municipal Sectoral Agreement.
- 4.3 The Corporation will institute, as transitional measures to the permanent adjustment to the financial target under The Social Contract Act, and subject to the savings achieved in Article 4.1,:
 - a) wage and benefit improvements freeze effective June 14, 1993
 - b) schedule days off without pay in a value equivalent to the compensation savings required in each year of the Social Contract.
- 4.4 Subject to law or regulation, the employers' and employees' OMERS contributions for employees within five years of their earliest retirement age will be continued so that pension benefits are not affected by unpaid days off or voluntarily reduced hours of work.
- 4.5 Subject to law or regulation, employees not within five years of their earliest retirement age will contribute based on the salary as adjusted for the unpaid days required under the Plan.
- 4.6 Should the implementation of any or all of the methods identified in 4.1 not achieve the targeted savings, nothing in this Plan restricts the right of the Employer to institute layoffs. It is the intent of the Employer to institute layoffs only as the last measure available.
- 4.7 A Social Contract Working Group will be established to review on a quarterly basis the savings accumulated and disbursed under the requirements of The Social Contract Act.

5: OPENNESS AND ACCOUNTABILITY

A continued atmosphere of mutual trust, openness and accountability is crucial to the success of this Plan and the necessary restructuring of the workplace.

- 5.1 Non-bargaining unit employees, upon request, will be provided access to financial planning information and salary data, apart from merit increases, and organizational structures subject to The Municipal Freedom of Information and Protection of Privacy Act.

- 5.2 Two-way communication mechanisms, such as committees, surveys, newsletters and regularly established forums, which provide non-bargaining unit employees an opportunity to make their interests known regarding the management, the budget, or the business of the Corporation will be developed in consultation with employees. Such mechanisms will be developed giving due regard to the principle that joint responsibility is required to ensure their effectiveness.
- 5.3 This Plan will be modified to comply with any Provincial legislation providing "whistleblowing" protection to employees. It is recognized that it is the obligation of every employee to report concerns within the internal administrative reporting structure of the Corporation. Subject to the provisions of any Provincial legislation providing "whistleblowing" protection to municipal employees, a formal procedure for the receipt of, and response to, employee concerns will be developed.

6: **RESTRUCTURING AND RESKILLING AND DEPLOYMENT**

- 6.1 The Corporation acknowledges its desire to preserve services and jobs. Some adjustment in service levels may be required within the Corporation, despite restructuring efforts.
- 6.2 A comprehensive labour adjustment strategy will be developed by December 31, 1993 to ensure that the job security of employees is maximized.
- 6.3 The Corporation will assist non-bargaining unit employees who are in redundant positions to:
- a) access the Public Sector Job Security Fund provided for under The Social Contract Act and
 - b) register in the Regional Labour Adjustment Registry, when developed by the Municipal Sector Task Force. Such employees, subject to their qualifications, local collective agreements and their employment record, shall be guaranteed the first offer of a suitable vacancy that exists, first within their group with the Corporation, then in accordance with the sectoral redevelopment plan, when instituted. Access to vacancies within other groups within the Corporation will be subject to the outcome of discussions with those groups.
- 6.4 The Corporation will provide, by August 17, 1993, and on an annual basis thereafter, confirmation that a minimum of 1% of earnings is being invested in direct and indirect training costs.
- 6.5 The Corporation will give consideration to utilizing in-house resources prior to initiating new contracts, and where feasible, for the renewal of existing contracts, as a method of preserving employment and redeploying staff displaced by downsizing activities.

7: ON-GOING CONSULTATION

The achievement of the goals outlined in this Plan will be accomplished through the continued consultation with Departmental representatives of non-bargaining unit employees. The form and content of that process will be developed in consultation with those representatives.

8: OBJECTIONS TO THE PLAN

Non-bargaining unit employees who object to the Plan because it fails to comply with Part VI Article 16 (2) of The Social Contract Act may request an amendment, and the Employer shall respond, in the manner describe in Part VI, Articles 18, 19 and 20 of The Social Contract Act. These Articles are reproduced as Appendix A to this Plan.

**ORIGINAL SIGNED BY LEN KING,
ACTING CHIEF ADMINISTRATIVE OFFICER
ON BEHALF OF THE NON UNION STAFF**

Minutes of Hamilton City Council
1993 August 9
1:15 o'clock p.m.
Council Chambers City Hall

The Council met:

Present: Mayor Morrow,
Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger,
Charters, Merling, Anderson, D'Amico.

Absent: Alderman T. Cooke - Vacation
Alderman W. McCulloch - Vacation
Alderman T. Jackson - Vacation
Alderman D. Ross - Regional Business

It was moved by Alderman Wilson and seconded by Alderman Copps that Council move into Committee of the Whole to consider the Report of the City Council Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

COMMITTEE OF THE WHOLE - TENTH REPORT Social Contract Agreements Stop Sign Control
--

It was moved by Alderman Wilson and seconded by Alderman Copps that the Report of the Committee of the Whole on the Report of the City Council Committee of the Whole, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

ADOPTION OF BILLS

It was moved by Alderman Wilson and seconded by Alderman Copps that Bills I-03 and I-04 be now read a first time:

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Copps that Council move into Committee of the Whole to consider Bills I-03 and I-04, with Mayor Morrow in the chair. (second reading).

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Copps that the Report of the Committee of the Whole on Bills I-03 and I-04, be adopted. -

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Wilson and seconded by Alderman Copps that Bills I-03 and I-04 be now read a third time, signed, sealed and enrolled as By-laws.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Merling, Anderson, D'Amico. -13.

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 1:20 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor Morrow

S. G. Hollowell,
Acting City Clerk
1993 August 9

REPORT OF THE COMMITTEE OF THE WHOLE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Committee of the Whole presents its TENTH Report for 1993 and respectfully recommends:

1. That in the event an early retirement plan is approved by City Council between now and December 31, 1993, this plan apply to any individual taking early retirement between now and the effective date of the plan. Any position vacated by early retirement shall be approved for filling only on the basis that another position with compensation of reasonably equal value shall be made redundant in the organization.
2. That the Chief Administrative Officer of the City of Hamilton be authorized and directed to take all necessary steps to meet the obligations of the City under sections 27, 28 and 29 of Part VII of the Social Contract Act with respect to its employees who are members of I.U.O.E. Local 772.
3. That the Chief Administrative Officer of the City of Hamilton be authorized and directed to take all necessary steps to meet the obligations of the City under sections 27, 28 and 29 of Part VII of the Social Contract Act with respect to its employees who are members of H.P.F.F.A. Local 288.
4.
 - (a) That the local agreement between C.U.P.E. Local 5 and the City of Hamilton be approved and implemented, subject to ratification by the membership of C.U.P.E. Local 5, in accordance with the terms therein, and
 - (b) That the Commissioner of Human Resources be authorized and directed to file the approved agreement with the Social Contract Secretariat of the Government of Ontario
 - (c) That the Commissioner of Human Resources be authorized and directed to release the agreement on August 11, 1993 after its presentation to the membership of C.U.P.E. Local 5.

5. (a) That eastbound and westbound traffic on Queensdale Avenue East at Nancy Street and East 43rd Street be removed, and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
6. That leave be granted to introduce the following Bills:

Bill I-03: A By-law to Amend By-law No. 89-72 to Regulate Traffic.

Bill I-04: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW, CHAIRMAN,
COMMITTEE OF THE WHOLE**

S. G. Hollowell, Acting Secretary
1993 August 9

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M21

1993

utes of Hamilton City Council
1993 August 31
7:30 o'clock p.m.
Council Chambers, City Hall

The Council met:

Present: Mayor Robert M. Morrow
Aldermen Cooke, Kiss, Agro, McCulloch, Morelli, Drury, Copps, Wilson,
Eisenberger, Agostino, Charters, Jackson, Anderson, Ross, D'Amico.

Absent: Alderman H. Merling - civic business

Mayor R. M. Morrow called the meeting to order.

* * * * *

The National Anthem was sung by Cory Steenkist.

* * * * *

Father Mike Myroniuk, Holy Family Roman Catholic Church led Council in Prayer.

* * * * *

Mayor R. M. Morrow presented a Certificate of Recognition to Shelagh Freedman.

Mayor R. M. Morrow presented a Certificate of Retirement to Thomas Coady.

* * * * *

The minutes of the Regular meeting of 1993 July 30 and the Special meetings of 1993 July 30 and August 9 were adopted as circulated.

* * * * *

CORRESPONDENCE

1. Letter dated 1993 August 26 from Reverend David Shepherd, Bethel Gospel Tabernacle requesting the changing of the celebration of Halloween from Sunday, October 31, 1993 to Saturday, October 30, 1993.

Recommendation: Referred to the Finance and Administration Committee.

2. Application dated 1993 July 23 from the Hamilton-Wentworth Roman Catholic Separate School Board, Hamilton, Ontario for a change in zoning from "J" (Light and Limited Heavy Industry, etc.) District, modified to "DE-3" (Multiple Dwellings) District modified for lands located at No. 687 King Street East, Hamilton, Ontario.

Recommendation: Received.

3. Application dated 1993 August 4 from Mr. Jorge Mota, Hamilton, Ontario for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations for property located at No. 1042 Barton Street East, Hamilton, Ontario.

Recommendation: Received.

4. Application dated 1993 August 5 from Benemar Construction Inc. and the City of Hamilton for a change in zoning from "RT-20" (Townhouse-Maisonette) District modified to "AA" (Agricultural) District for Block "1" and from "AA" (Agricultural) District modified to "RT-20" (Townhouse-Maisonette) District for Block "2", for lands located east of Upper Wentworth Street and north of Vineberg Drive, Hamilton, Ontario.

Recommendation: Received.

5. Application dated 1993 August 16 from Investland Corporation Limited, Hamilton, Ontario for an amendment to the Official Plan Amendment to establish a "Special Policy Area" to permit a retail warehouse within the "industrial" designation, and for modifications to the established "JJ" (Restricted Light Industrial) District regulations (Block "1") and to the "KK" (Restricted Heavy Industrial) District regulations (Block "2") for property located at No. 8 Burford Road.

Recommendation: Received.

6. Application dated 1993 August 25 from Mike Ilich, Stoney Creek for a change in zoning from "DE" (Low Density Multiple Dwellings) District to "H" (Community Shopping and Commercial, etc.) District for property located at No. 280 Weir Street North, Hamilton, Ontario.

Recommendation: Received.

7. Letter dated 1993 July 30 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-143 respecting property at 29 Severn Street, Hamilton, Ontario. (previously distributed).

Recommendation: Received.

8. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-168 respecting property at 260-280 King Street East, Hamilton, Ontario.

Recommendation: Received.

9. Letter dated 1993 August 26 from S. G. Hollowell, Acting City Clerk respecting objections to By-law No. 93-163 respecting property south of Mud Street and West of Upper Mount Albion Road, Hamilton, Ontario.

Recommendation: Received.

10. Letter dated 1993 August 30 from Local 288 of the International Association of Fire Fighters requesting a deferral of a recommendation before City Council respecting the Social Contract.

Recommendation: Received.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be now considered in Committee of the Whole with Alderman Drury in the Chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - ELEVENTH REPORT
--

Section 36 Re: Closure and sale of a portion of Beckley Street

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the immediate area.

* * * * *

Section 40 Re: Meter charges - Provincial Sales Tax - Central Business District

Alderman Jackson declared personal interest in, took no part in the debate and refrained from voting on this matter as Alderman Jackson and his spouse operate a business in the Central Business District.

* * * * *

It was moved by Alderman Agro and seconded by Alderman Morelli that Rule. No. 8 of the City's Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution dealing with the acceptance of title to a portion of the former C.P. Rail right-of-way crossing Leland Street. **CARRIED.**

It was moved by Alderman Agro and seconded by Alderman Morelli that the following be added as Section 42 of the Eleventh Report for 1993 of the Transport and Environment Committee for 1993:

42. (a) That the City accept title from C.P. Rail (Toronto, Hamilton & Buffalo Railway) to that portion (Parts 3 and 4, Plan 62R-11315) of the former C.P. Rail right-of-way as it crosses Leland Street for the price of \$1.00.
- (b) That the Commissioner of Transportation/Environmental Services be authorized to prepare a by-law to incorporate the said land into Leland Street.

CARRIED.

PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT

Section 13 Re: Parking Permit - 136-144 Cannon Street

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Kiss, Agro. -3.

CARRIED.

PLANNING AND DEVELOPMENT COMMITTEE - THIRTEENTH REPORT

Section 23 Re: Resolution - Town of Lindsay

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

MAYOR'S REPORT - SECOND REPORT

FINANCE AND ADMINISTRATION COMMITTEE - FIFTEENTH REPORT

Section 5 (c) Re: Fire Fighters Association - Social Contract

It was moved by Alderman Ross and seconded by Alderman Cooke that the following be added as Sub-Section (c) of Section 5 of the Fifteenth Report for 1993 of the Finance and Administration Committee:

"That the Commissioner of Human Resources reaffirm to the Fire Fighters Association our willingness to negotiate permanent alternatives which will achieve the targeted 1993 to 1996 savings."

* * * * *

Section 13 Re: Use of Council Chambers - Canada 125 Commemorative Medals

Alderman Copps declared personal interest in, took no part in the debate and refrained from voting on this matter as Sheila Copps is Alderman Copps' daughter.

* * * * *

Section 25 Re: Committee Rooms at City Hall

It was moved by Alderman Agostino and seconded by Alderman Kiss that section 25 of the Fifteenth Report of the Finance and Administration Committee be amended to read:

"That with respect to the use of Committee Rooms at City Hall, that priority be given to activities associated with or sponsored by City Council, a Civic Department or Committee of Council."
CARRIED.

FINANCE AND ADMINISTRATION COMMITTEE - SIXTEENTH REPORT
--

Section 1 Re: Implementation of the Municipal construction contracts - local labour forces policy

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1. **CARRIED.**

ACTING MAYOR

It was moved by Alderman Cooke and seconded by Alderman Kiss that Alderman T. Jackson be appointed Acting Mayor for the month of September 1993. **CARRIED.**

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Parks and Recreation Committee, the Planning and Development Committee, the Mayor's Report, and the Finance and Administration Committee, be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0. **CARRIED.**

ADOPTION OF BILLS

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills be now read a first time:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that Council move into Committee of the Whole to consider the following Bills, with Alderman Drury in the chair. (second reading).

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

Consideration of the Bills (second reading).

* * * * *

It was moved by Alderman Cooke seconded by Alderman Kiss that the Report of the Committee of the Whole on the following Bills, be adopted. -

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

* * * * *

It was moved by Alderman Cooke and seconded by Alderman Kiss that the following Bills, be now read a third time, signed, sealed and enrolled as By-laws:

A-62, A-63, A-64, A-65, A-66, A-67, A-68.
C-63, C-65, C-66, C-67, C-68, C-69, C-70, C-71, C-72.
H-51.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

1993 August 31

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City Council then adjourned at 8:50 o'clock p.m.

* * * * *

Taken as read and approved.

Mayor R. M. Morrow

J.J. Schatz, City Clerk
1993 August 31

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its **ELEVENTH** Report for 1993 and respectfully recommends:

1. (a) That the existing "No Parking" regulation on the south and west sides of Golden Orchard Drive which commences at a point 126 feet west of Brigadoon Drive and extends to a point 215 feet northerly therefrom be shortened such that the regulation commences at a point 182 feet west of Brigadoon Drive and extends to a point 159 feet northerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
2. (a) That a "Permit Parking" regulation be implemented on both sides of Simcoe Street West between Bay Street North and MacNab Street North in place of the existing "One Hour Parking Time Limit, 24 Hours a Day, Seven Days a Week" regulation; and
(b) That the Director of Traffic Services be authorized to issue two parking permits to residents of Nos. 31, 32, 35, 38, 40 and 42 Simcoe Street and No. 364 Bay Street North and one parking permit to residents of Nos. 28, 33, 34, 36, 44 and 46 Simcoe Street, and any additional permits (to a maximum of twenty-two) on a first come first served basis; and
(c) That the City Traffic By-law 89-72 be amended accordingly.
3. (a) That parking be prohibited on both sides of Dalcar Court from Upper Paradise Road to the easterly end; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

4. (a) That a "No Parking" regulation be implemented on the south and south-west sides of Guildwood Drive commencing at a point 98 feet north west of the extended curb line of Gilcrest Street and extending to a point 153 feet westerly therefrom; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
5. (a) That the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., seven days a week" regulation on the west side of East 27th Street between Fennell Avenue East and the extended south curb line of MacKenzie Road be revised, such that the regulation commences at a point 136 feet south of Fennell Avenue East and extends to the extended south curb line of MacKenzie Road; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
6. (a) That the existing "Alternate Side Parking" regulation on Brigadoon Drive between Garrow Drive and Fiona Crescent (east leg) be shortened, such that the regulation commences at Grenoble Road and extends to Fiona Crescent (east leg); and
(b) That the City Traffic By-law 89-72 be amended accordingly.
7. (a) That the existing "No Stopping, Wheelchair Loading Only, 7:00 a.m. to 9:00 p.m., seven days a week" regulation on the west side of Greendale Drive commencing at a point 184 feet south of the south curb line of the north leg of Greendale Drive and extending to a point 17 feet southerly therefrom, be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.
8. (a) That the existing "Permit Parking" regulation on the north side of Dunsmure Road commencing at a point 51 feet east of Graham Avenue North and extending to a point 20 feet easterly therefrom be removed; and
(b) That the City Traffic By-law 89-72 be amended accordingly.

9.
 - (a) That a "No Stopping, Wheelchair Loading Only, 9:00 a.m. to 10:00 p.m., seven days a week" regulation be implemented on the west side of East 26th Street commencing at a point 115 feet south of Queensdale Avenue East and extending to a point 25 feet southerly therefrom; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
10.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Leeming Street commencing at a point 84 feet south of Wright Avenue and extending to a point 22 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Randy Taylor, No. 73 Leeming Street; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
11.
 - (a) That a "Permit Parking" regulation be implemented on the east side of Broadway Avenue commencing at a point 336 feet south of Ainslie Avenue and extending to a point 24 feet southerly therefrom; and
 - (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. Dietmar Pietsch, No. 293 Broadway Avenue; and
 - (c) That the City Traffic By-law 89-72 be amended accordingly.
12. That the Director of Traffic Services be authorized to issue, upon request, one Time Limit Exemption Permit to each of the first four applicants residing in the apartment building at No. 148 Robinson Street.
13.
 - (a) That eastbound traffic on Pinard Street be required to stop for northbound and southbound traffic on Selway Court; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
14.
 - (a) That eastbound traffic on Connor Court be required to stop for northbound and southbound traffic on Parklands Drive; and

- (b) That the City Traffic By-law 89-72 be amended accordingly.
- 15. (a) That westbound traffic on Fano Drive (north leg) be required to stop for northbound and southbound traffic on Acadia Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 16. (a) That four-way stop control be implemented at the intersection of Limeridge Road West and Bonaventure Drive; and
 - (b) That the City Traffic By-law 89-72 be amended accordingly.
- 17. (a) That northbound traffic on Annabelle Street (west leg) be required to stop for eastbound and westbound traffic on Chester Avenue; and
 - (b) That eastbound traffic on Brigadoon Drive be required to stop for northbound and southbound traffic on Appleblossom Drive; and
 - (c) That northbound traffic on Appleseed Place be required to stop for eastbound and westbound traffic on Brigadoon Drive; and
 - (d) That the City Traffic By-law 89-72 be amended accordingly.
- 18. (a) That in accordance with the request by the Hamilton Street Railway Company:
 - i. the following bus routing be approved:

Route 23 Upper Gage

Northbound - Eva Street from Rymal Road East to Eaglewood Drive.

Westbound - Eaglewood Drive from Eva Street to Eleanor Avenue.

- ii. the following bus stop be relocated:

Route 23 Upper Gage

Delete - Northbound - Eleanor Avenue, east side, 195 feet north of the centre line of Rymal Road (M/B),

Add - Westbound - Eaglewood Drive, north side, 39 feet east of the east curb line of Eleanor Avenue (N/S); and

(b) That the City Traffic By-law 89-72 be amended accordingly.

19. That in accordance with the request by the Hamilton Street Railway Company the following bus stop relocation be approved:

Route 45 Limeridge

Delete - Eastbound - Limeridge Road East, south side, 39 feet west of the west curb line of Leggett Crescent (east leg) (N/S),

Add - Eastbound - Limeridge Road East, south side, 97 feet east of the east curb line of Leggett Crescent (east Leg) (F/S).

20. (a) That the construction of an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275 m northerly proceed as a local improvement pursuant to Section 12 of the Local Improvement Act at an estimated gross cost of \$35,500. with a City's Share of \$13,072. and Owner's Share of \$22,428. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
- (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
- (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received; and,
- (d) That the City Clerk and City Treasurer be directed to give the necessary notice of City Council's intention to undertake these works.

21.
 - (a) That the construction of a concrete curb on the north side of Rennie Street from Waterloo Street to approximately 33.8 m easterly (east limit of 777 Rennie Street) and the construction of a concrete curb and sidewalk on the south side of Rennie Street from approximately 12.2 m east of Waterloo Street to approximately 12.2 m easterly (frontage of 776 Rennie Street) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$8,700. with a City's Share of \$5,446. and an Owner's Share of \$3,254. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Director of Public Works be authorized to construct these works once all the necessary approvals have been received.
22.
 - (a) That the construction of a concrete alley first north of Barton Street East from Tragana Avenue North to Weir Street North (east west portion only) proceed as a local improvement pursuant to Section 11 of the Local Improvement Act at an estimated gross cost of \$30,400. with a City's Share of \$25,175. and an Owner's Share of \$5,225. all as provided in the 1993 portion of the 1993 - 2002 Capital Budget; and,
 - (b) That the Finance and Administration Committee be requested to recommend a source of funding for this Capital Project; and,
 - (c) That the Commissioner of Transportation/Environmental Services be authorized to construct these works on behalf of the City once all the necessary approvals have been received.
23.
 - (a) That an Offer to Purchase (Highway Closure), duly executed by Nadia Medill on 1993 July 21, and scheduled to close within thirty (30) days of completion of the conditions as set out in the agreement, but in any event, no later than 1994 July 12, for the sale of part of the alley between Lots 1, 2, and 7, Registered Plan 271, having a frontage of .939 metres (3.08 feet) more or less, along the northerly limit of Murray Street East, by a depth of 11.125 metres (36.5 feet) more or less, and comprising a total area of 10.591 square metres (114.0 square feet) more or less, and designated as Part 1 on Reference Plan 62R-12253, be approved and completed, and the funds derived from this sale of \$1. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases).
 - (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

24.
 - (a) That approval be given to the Hamilton Street Railway Company to install a 5 ft. x 10 ft. bus shelter located at 775 Upper Wentworth Street at an annual fee of \$1. to be credited to Account No. CH44104 31106 (Rent Oblique fees -City Property).
 - (b) That the Mayor and City Clerk be authorized to execute the necessary Licence Agreement in a form satisfactory to the City Solicitor.
 - (c) That it is understood and agreed that the Hamilton Street Railway Company will remove the said bus shelter if required by the City, for any purpose, given thirty (30) days written notice without reservation.
25.
 - (a) That Section 46 of the Eighth Report of the Transport and Environment Committee approved 1993 June 29, be rescinded as this recommendation is no longer required for the development of Edan Heights - Phase 3, Hamilton.
 - (b) That the estimated City share of works required under the Modified Subdivision Agreement with the Owner of certain lands on Bow Valley Drive, (Vedemo Construction Limited), in conjunction with Severance Application H-76-72, Hamilton, be approved;

City's Share - \$1,410.27 Owners share - \$28,631.64
 - (c) That the Finance and Administration Committee recommend the method of financing the City's share.
 - (d) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement with the Owner (Vedemo Construction Limited), for the lands under Severance Application H-76-92, Hamilton, as well as any other related documents for this Modified Subdivision Agreement, subject to the approval of the City Solicitor.
26. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Demik, agent for the Hamilton Mountain Provincial Riding Association, to temporarily close Corsica Court at Bonaparte Way, on Thursday, 1993 July 22 from 6:00 o'clock p.m. to 9:00 o'clock p.m. to hold a Street Party, subject to the following conditions:
 - (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the Region and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
27. That the application of D. Upsdell, agent for the Westdale Business Improvement Association (991 King Street West, Hamilton), to temporarily close King Street West between North Oval and Cline Avenue, on Saturday, 1993 September 18, from 8:00 o'clock a.m. to 12:00 midnight be approved, subject to the following conditions:
- (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;

- (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
28. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of A. Bradford, agent for the Regional Municipality of Hamilton-Wentworth, Economic Development Department (1 James Street South, Hamilton) to temporarily close the following City streets from Friday, 1993 July 23, at 8:00 o'clock a.m. to Monday, 1993 July 26 at 5:00 o'clock p.m.:
- Bay Street North from Burlington to Guise
 - MacNab Street North from Burlington to Guise
 - James Street North from Burlington to Guise
 - Hughson Street North from Burlington to Guise
 - John Street North from Burlington to Guise
 - Catharine Street North from Burlington to Guise
 - Mary Street North from Burlington to Guise
 - Ferguson Avenue North from Burlington to Guise
 - Guise Street from Bay to Ferguson;

for the annual Greater Hamilton Aquafest, provided;

- (a) That approval from the Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
29. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the application of T. Farrar, agent for Cycle Hamilton (244 Jackson Street West, Hamilton) to temporarily close Hess Street from King to Main, George Street from Queen to Ray and Ray Street from George to King on Sunday 1993 August 8, from 1:00 o'clock p.m. to 7:00 o'clock p.m., in order to hold the annual Hess Village Grand Prix Bicycle Race, subject to the following conditions:

- (a) That approval from Regional Police Services be received;
 - (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
 - (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
 - (d) That all barricading be supplied by and at the expense of the applicant;
 - (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services, and at the expense of the applicant;
 - (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
 - (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
 - (h) That all property owners and tenants along the closed portion of the route be notified of the event by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.
30. That the action of the Commissioner of Transportation/Environmental Services be confirmed in authorizing the request of B. Nash (50 Webster Road, Stoney Creek) to close Webster Road on Saturday, 1993 July 10 from 2:00 o'clock p.m. to 10:00 o'clock p.m., in order to control the unauthorized use of private property for parking during a fireworks display at the adjacent Battlefield Park, subject to the following conditions:
- (a) That approval from Regional Police Services be received;

- (b) That the applicant provide proof of \$2,000,000. public liability insurance, naming the City of Hamilton and holding the City of Hamilton harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
- (c) That all barricading, detour signing and traffic control be subject to the direction of Regional Police Services;
- (d) That all barricading be supplied by and at the expense of the applicant;
- (e) That temporary road closure signs be installed in advance by the City of Hamilton Traffic Department, on the affected roadways, if deemed necessary by the Director of Traffic Services;
- (f) That the applicant ensure that clean-up operations be carried out immediately before the re-opening of the roads, to the satisfaction of the City and at the expense of the event organizer;
- (g) That no property owner or resident within the barricaded area be denied access to their property upon request;
- (h) That all property owners and tenants along the closed portion of the route be notified of the closure by the applicant prior to the event in a form acceptable to the Commissioner of Transportation/Environmental Services.

31. (a) That the applications to retain inadvertent encroachments at the following locations be approved during the pleasure of City Council:

	Location	Type of Encroachment	First Year/ Annual	File Number
i.	127 Strachan Street East	Portion of building measuring 32.30 ft. x 0.33 ft. and chimney measuring	\$111./\$20.	T103-50 (1063)

.75 ft. x 5.75 ft.
onto Mary Street and
porch measuring
19.56 ft. x .023 ft.
onto Strachan Street

- | | | | | |
|-----|-------------------|---|--------------|-------------------|
| ii. | 204 Burris Street | Steps measuring
1.52 ft. x 4.5 ft.
onto Burris Street | \$111./\$20. | T103-50
(1064) |
|-----|-------------------|---|--------------|-------------------|

(b) That approval be subject to the following:

- i. That the owners enter into agreements satisfactory to the Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That the Mayor and City Clerk be authorized to execute the City's standard form of agreement.
- iii. That the first year fees and subsequent annual fees as outlined in recommendation (a) i. and ii. be set for the encroachments.

- 32. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly.
- 33. That City Council enact the by-law to authorize construction of local improvements of finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly.
- 34. That City Council enact the by-law to authorize construction of local improvements of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limits of the East-West Freeway.

35. That a purchase order be issued to Industrial Brake, Hamilton, for the supply and delivery of Automotive Brake Parts for medium and heavy duty vehicles over 15,000 lb. GVW as and when required during 1993 and 1994 by the Public Works Department, being the lowest of three tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be funded through Parts Account CH56702 64105.
36.
 - (a) That the appropriate by-law for the closure and sale of a portion of Beckley Street, being designated as Part 2, on Plan 62R-12475, and the alteration of the remainder of Beckley Street being designated as Part 1, on Plan 62R-12475, be forwarded to City Council for enactment.
 - (b) That the Commissioner of Transportation/Environmental Services be authorized and directed to register the by-law.
37.
 - (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to Sanexen Environmental Services Inc. carrying out the proposed PCB chemical destruction for Laidlaw at 470 Kenora Avenue North, Hamilton, Ontario;
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;
 - (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).
38.
 - (a) That the West Central Branch of the Ministry of the Environment and Energy be advised that the City of Hamilton has no objection to TASSCO carrying out the proposed PCB chemical destruction for J. I. Case at 450 Sherman Avenue North, Hamilton, Ontario;
 - (b) That the thirty (30) day notification period that is normally required after a Certificate of Approval is issued by the Ministry of the Environment and Energy (MOEE) be waived so that the proposed work referred to in sub-section (a) above, can be carried out as scheduled;

- (c) That no specific Municipal or Regional permits are required for the proposed work referred to in sub-section (a).
39. (a) That three-way stop control be implemented at the intersection of Cranbrook Drive and Stanlow Crescent; and
- (b) That the City Traffic By-law 89-72 be amended accordingly.
40. (a) That, to establish consistency in meter charges, and to recapture a portion of the Provincial Sales tax recently imposed on all on-street meters, that City Council approve an adjustment in the on-street meters in the Central Business District (Barton to Herkimer and Wellington to Queen) to a single rate of \$.50 per half hour (inclusive of PST and GST) and,
- (b) That City Traffic By-law 89-72 be amended accordingly.
41. That leave be granted to introduce the following Bills:
- (a) **Bill A-62** By-law to authorize the construction of local improvements without petition under Section 12 of the Local Improvement Act of concrete sidewalks and curbs and finished roadway on Forbes Street from approximately 40 m south of Blossom Lane to approximately 57 m southerly
 - (b) **Bill A-63** By-law to authorize the construction of local improvements of a finished roadway on Acadia Drive approximately 50 m south of Butler Drive to approximately 200 m southerly
 - (c) **Bill A-64** By-law to authorize the construction of local improvements under Section 12 of the Local Improvement Act of concrete sidewalks on the west side of Upper Wellington Street from Bryna Avenue to the north limit of the East-West Freeway

- (d) **Bill A-65** By-law to stop-up, close and sell a portion, and to alter the remainder of Beckley Street from John Street to James Street
- (e) **Bill A-66** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (f) **Bill A-67** By-law to amend Traffic By-law 89-72 to Regulate Traffic
- (g) **Bill A-68** By-law to amend Traffic By-law 89-72 to Regulate Traffic

42. (a) That the City accept title from C.P. Rail (Toronto, Hamilton & Buffalo Railway) to that portion (Parts 3 and 4, Plan 62R-11315) of the former C.P. Rail right-of-way as it crosses Leland Street for the price of \$1.00.

(b) That the Commissioner of Transportation/Environmental Services be authorized to prepare a by-law to incorporate the said land into Leland Street.

ADDED AND CARRIED.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1993 August 23

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. (a) That an Offer to Purchase (Easement) Agreement, executed by Regional Officials on 1993 August 5, and scheduled to close on or before 1993 October 5, for the purchase by the Regional Municipality of Hamilton-Wentworth of a Sanitary Sewer Easement over the lands composed of part of Burlington Beach, lying in front of Lot 34, Broken Front Concession, formerly in the Geographic Township of Saltfleet, now in the City of Hamilton, located at the rear of 283, 285 $\frac{1}{2}$ and 289 $\frac{1}{2}$ Beach Boulevard, shown as Part 1 on Plan RA-H-581 Surveys, containing 456 square metres (0.112 acres) more or less, be approved and completed, and the funds derived from this sale of \$1,500. be credited to Account No. CH4X501 00102 (Reserve for Property Purchases). Subject parcel forms part of the property known as 5 Beach Boulevard.
- (b) That an Authority to Enter Agreement, executed by officials of the Regional Municipality of Hamilton-Wentworth, authorizing the Region to enter City lands for the construction of a Sanitary Sewer through Part 1 on Plan RA-H-581 Surveys, effective the day following City Council approval, be approved.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

2. (a) That an Offer to Purchase, executed by Ivana Spadafora on 1993 July 23, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 2 on Plan 62R-10441, located to the rear of 11 Derek Drive, having a depth of 3.192 metres (10.47 feet) more or less, and a width of 29.11 metres (95.5 feet) more or less, containing an area of 92.9 square metres (1,000.2 square feet) more or less, be approved and completed and the funds derived from this sale of \$2,500. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
3. (a) That an Offer to Purchase, executed by Carmen P. Frosina and Carolyn J. Frosina on 1993 July 27, and scheduled for closing on 1993 October 15, for a portion of City-owned property, more particularly described as Part 3 on Plan 62R-10441, located to the rear of 15 Derek Drive, having a depth of 3.336 metres (10.94 feet) more or less, and a width of 16.418 metres (53.86 feet) more or less, containing an area of 54.77 square metres (589.56 square feet) more or less, be approved and completed and the funds derived from this sale of \$1,400. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
4. (a) That an Offer to Purchase, executed by Marcella Sabatini on 1993 July 14, and scheduled for closing on or before 1993 October 15, for a portion of City-owned property, more particularly described as Part 4 on Plan 62R-10441, abutting the easterly boundary of 10 Chert Avenue, having a width of 3.336 metres (10.94 feet) more or less, and a depth of 33.51 metres (109.94 feet) more or less, containing an area of 108.12 square metres (1,163.8 square feet) more or less, be approved and completed and the funds derived from this sale of \$3,000. be credited to Account No. CH4X501 00201 (Reserve for Parklands).
- (b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.

5. That the following artifacts be deaccessioned from the Hamilton Military Museum collection and transferred to Theatre Aquarius for use as theatrical costumes:

Battledress	1984.234.2a-b
	1986.319.3-4
	1989.401.4
	1989.404.3
Tunics/Jackets	1985.272.1-3
	1985.272.11-14
	1986.334.7
	1986.334.111 and breeches
	1988.379.6-7
	1989.401-8-9
	1989.412.8
	1989.424.7-8
Mess Dress	1988.383.4-5
	1990.431.12-13
Berets	1980.2.2
	1984.220.22
	1984.234.6
	1985.272.25
	1986.304.3
	1989.424.18
	19920025-016
Field Service Caps	1981.92.29
	1984.234.9-10
	1988.384.10
Forage caps	1977.176.2
	1977.184.1-2
	1984.220.20
	1985.272.15, 23
	1986.334.12
	1986.336.13
	1989.404.19
Civilian breeches	1983.211.51-52
Greatcoats	1986.319.5
	1989.404.6

6. That funds in the approximate amount of \$7,500. be utilized from the Hamilton Children's Museum Trust Account (Account No. CH5X999 00403) to purchase a computer, printer and required software for the Hamilton Children's Museum.
7.
 - (a) That the West Mountain Baseball Association be authorized to construct a 1,200 square foot, 2 storey field house/public washroom building, at their cost, in Olympic Park.
 - (b) That the Director of Property and City Solicitor be authorized to prepare any joint use agreements, lease agreements, performance contracts or other legal agreements as may be required to facilitate the construction of the building and its joint use by the citizens of Hamilton and the West Mountain Baseball Association.
 - (c) That the City of Hamilton provide the necessary site services for the building.
 - (d) That the West Mountain Baseball Association be exempt from payment of any building permit fees pursuant to Building Permit By-law No. 93-167.
 - (e) That staff be authorized to consult with the Ministry of Municipal Affairs regarding the eligibility of this project for funding under the Jobs Ontario Program.
8.
 - (a) That the City of Hamilton Parks Division provide routine maintenance services for the Escarpment Rail Trail from Limeridge Road to Wentworth Street including litter control, maintenance of park signage, seating areas, grass cutting and periodic tree trimming.
 - (b) That the estimated annual maintenance cost of \$8,000. be considered during the 1994 budget process as an addition to the base of Account No. CH51401 62102 (General Park Maintenance).
 - (c) That Hamilton-Wentworth Regional Council be requested to consider an extension of the north-south leg of the "Escarpment Rail Trail Project", southerly from Limeridge Road to Stone Church Road and Dartnall Road as well as a connection to the Hydro Corridor and the westerly component of the bike trail.

9. That the original contract entered into with Demik Construction Limited for the construction of Sackville Hill Seniors' Recreation Centre in the amount of \$2,920,000., originally approved by City Council on 1991 September 24 in adopting Section 1 of the Eighteenth Report of the Parks and Recreation Committee be increased by \$6,651.
10.
 - (a) That the Mayor and City Clerk be authorized to execute a Site Plan Agreement with the Corporation of the Township of Glanbrook in a form satisfactory to the City Solicitor for the City-owned land situated in the Township of Glanbrook part of Lot 8, Concession 1 formerly the Township of Glanford, to permit the development of part of the former Turner farm as a baseball park.
 - (b) That the Mayor and City Clerk be authorized to execute a Licence Agreement with Ontario Hydro in a form satisfactory to the City Solicitor for the lands situated in the Township of Glanbrook, part of Lot 8, Concession 1, formerly the Township of Glanford for the purpose of access and recreational use across the Ontario Hydro lands which bi-sect Turner Park for a twenty (20) year term with a rental fee of \$1. to be charged to Account No. CH56398 62910 (DEV014).
11.
 - (a) That approval be given to increase the contract of the Consultant Architect, Svedas, Koyanagi Architects Inc. by \$19,246.22 to \$426,024.22 plus 7% GST of \$29,821.70 which pays for additional services related to the construction contract cost, and other changes, to be financed from funds within the project.
 - (b) That approval be given to leave the unexpended balance of \$24,634.76 in the feasibility phase Account No. 709041010 to be held until the Twin Pad project is complete.
 - (c) That a contract amendment satisfactory to the City Solicitor be executed between the City of Hamilton and the Prime Consultant, Svedas Koyanagi Architects Inc.
12.
 - (a) That the existing contract awarded to Philip Enterprises Inc. of Hamilton in May 1992, in the amount of \$4,310,865.69 for the removal and disposal of hazardous soils from Harbourfront Park, including rough grading, placement of the impervious clay cover and topsoil on the site be extended by the amount of \$67,000. including taxes for additional rough grading, placement of impervious clay cover and topsoil and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 for Harbourfront Park.

- (b) That the existing contract awarded to Blue-Con Inc. of London, Ontario in November 1992 in the amount of \$1,384,178.75 for the construction of Shoreline protection works at Harbourfront Park be extended by the amount of \$71,000. including taxes for the installation of additional armourstone and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003 (\$32,000.) for Harbourfront Park, and the North End Anti-Recession Program Account No. CF5200 429202004 (\$39,000.).
 - (c) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in April 1993 in the amount of \$737,892. for the supply and installation of a pier structure, pavilion and floating dock at Pier-4 Park be extended by the amount of \$61,000. including taxes for additional length of piles, supply of hydro and lighting to the pier and be funded from the Harbourfront Park Remediation - Stage II Account No. CF5200 419254003.
 - (d) That the existing contract awarded to Harm Schilthuis and Sons Ltd. of Ancaster, Ontario in June 1993 in the amount of \$261,041.41 for the construction of the tugboat play area and spray pad at Pier-4 Park be extended by the amount of \$104,000. including taxes for hydro service, lighting, sidewalk, curbs and railings and be funded from the North End Anti-Recession Program, Account No. CF5200 42902004.
 - (e) That the City Solicitor be requested to prepare amendments to the legal agreements with the three contractors to incorporate these extensions to the scope of work.
13. That an initial fee of \$50. be charged for each parking permit issued to residents of 136 - 144 Cannon Street to cover the cost of manufacturing, erecting and maintaining the required signs for the reserved parking spaces within Beasley Park.

Recorded vote.

YEAS: Aldermen Cooke, McCulloch, Drury, Morelli, Copps, Wilson, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Mayor Morrow, Aldermen Kiss, Agro. -3.

CARRIED.

14. (a) That the Mayor and City Clerk be authorized to sign a License Agreement with Scott- MacDonald Ltd. in a form satisfactory to the City Solicitor for the non-exclusive right to sell food and non alcoholic drink at Pier-4 Park from a moveable stand or cart.

- (b) That Scott MacDonald Ltd. pay the standard vendor's licence fee, pro rated for a one month period ending 1993 September 30.
- 15. (a) That a purchase order be issued to Frank Bufalino & Sons Construction Ltd. in the amount of \$418,500. to complete the construction of a new Club House for the Hamilton Tennis Club at 247 Duke Street, H.A.A.A. Grounds and that a contract be entered into satisfactory to the City Solicitor.
- (b) That the City enforce its rights under the Bond through court action against the Guarantee Company of North America, to recover the additional funds required to complete the project up to a maximum of \$188,000.
- (c) That the Finance and Administration Committee be requested to recommend the method of financing for this additional amount of \$111,000.

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN T. JACKSON, CHAIRPERSON
PARKS AND RECREATION COMMITTEE

1993 August 24

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **THIRTEENTH** Report for 1993 and respectfully recommends:

1. That approval be given to amended Zoning Application ZAC-93-14, 800064 Ontario Inc. (A. DiSilvestro, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, to permit future small lot single-family detached dwellings for property located in the area west of Garth Street and south of Claudette Gate, as shown on the attached map marked as Appendix "A", on the following basis:
 - (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
 - (b) That the City Solicitor be directed to prepare a By-law to amend By-law No. 6593 and Zoning District Map W-27D for presentation to City Council; and,
 - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2.
 - (a) That the attached Appendix "B" outlining B.I.A. priority projects for implementation under the Commercial Improvement Program be approved at an estimated cost of \$113,600.
 - (b) That the remaining funds totalling \$344,400. be deferred pending the outcome of the Capital Budget deliberations resulting from the anticipated reduction in Provincial transfer payments.
3. That the Statement of Interest, attached hereto as Appendix "C", for the CN Station Citizens Advisory Committee be approved.
4.
 - (a) That the City enter into a Site Plan Agreement with the owner of Mirdem Nursing Home Ltd. for a property at 176 Victoria Street.

- (b) That the following additional provisions be inserted into the City's standard Site Plan Agreement to ensure that the current building on the property is demolished once the proposed new building has been completed.
- i. The owner agrees to demolish the existing building, as described by the Committee of Adjustment in its July 7, 1993 decision, when the new three storey nursing home building referred to in the same decision has been completed;
 - ii. \$35,000. in security is to be provided to the City by the owner as security in the form of cash or an irrevocable Letter of Credit;
 - iii. A Building Permit will not be issued until the security has been provided to the City;
 - iv. The security will be placed in a non-interest bearing account and held until the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision has been demolished;
 - v. The owner is to obtain postponements in favour of the City's Site Plan Agreement from those with previous registered financial interests in the property;
 - vi. The owner is to agree that if the existing building as described by the Committee of Adjustment in its July 7, 1993 Decision is not vacated and demolished within six (6) months of the completion date of the proposed new three storey nursing home, that the City is authorized to retain and use the security to obtain compliance with the agreement and where the security is not sufficient to effect compliance, to add any shortfall to the property's tax assessment roll to be recovered as taxes;
 - vii. The solicitor to the owner is to provide the City with a Certificate indicating the priority of the City's registered Site Plan Agreement to the satisfaction of the City Solicitor;
 - viii. The final details of the Site Plan Agreement as prepared by the owner's solicitor be reviewed and approved to the satisfaction of the City Solicitor; and
 - ix. The Site Plan Agreement is to be registered on the lands at the expense of the owner.

5. That the appropriate staff be authorized to appear at an Ontario Municipal Board Hearing regarding an appeal to Committee of Adjustment decision A-92-253, 1340 Main Street East.
6. (a) That the following prizes be awarded to Mohawk College broadcasting students for their submissions in the Phase IV Downtown Action Plan, Public Service Announcement (P.S.A.) competition. All of the P.S.A.'s contain messages about keeping Hamilton clean.

First Prize: Craig Hogg, production of "Family"
Second Prize: Sharon Bacon, production of "Out-of-Site"
Third Prize: Sandi Krempa, production of "Time"
- (b) That funds be provided from Phase IV of the Downtown Action Plan for the first prize at \$700., second prize at \$500. and third prize at \$200. and a donation to Mohawk College Media Studies Department of \$1,000. for development of the videos and use of equipment.
7. That City Council enact a By-law to amend By-law 77-244 respecting the requirement for fences and pool enclosures for private swimming pools to remove the requirement for a building permit.
8. That the Building Department be authorized and directed to hold public meetings and establish and chair a Committee to draft a hoarding and fencing by-law, for fencing and hoarding around construction sites, as permitted in The Ontario Building Code Act, R.S.O. 1992, Chapter 23.
9. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of one thousand, five hundred and fifty two (\$1,552.) be approved for Evelyn Wood, 417 Fairfield Avenue North, Hamilton. The interest rate will be 8 percent amortized over 10 years.
10. That a Commercial Loan in the amount of twenty five thousand dollars (\$25,000.) be approved for John Mouskos. The interest will be 2 7/8 percent amortized over 10 years.
11. That a Commercial Loan in the Amount of thirteen thousand, seven hundred and twelve (\$13,712.) be approved for Baba Tooma. The interest rate will be 2 7/8 percent amortized over 10 years.
12. That a Commercial Loan in the amount of six thousand and five hundred dollars (\$6,500.) be approved for Joseph Patrick Finocchio. The interest rate will be 2 7/8 percent amortized over 10 years.

13. (a) That the Building Department, Loans Division, was directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand and thirty-eight dollars (\$4,038.) for Jeffrey Steadman, 124 MacNab Street South, Hamilton.
- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 124 MacNab Street North, in the amount of four thousand, one hundred and thirty-seven dollars (\$4,137.) at 2 7/8 percent interest amortized over a ten year period.
14. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owner to the Province of Ontario for a Designated Property Grant in the amount of four thousand, eight hundred and thirty seven-dollars (\$4,837.) for Jeffrey Steadman, 126 MacNab Street South, Hamilton.
- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jeffrey Steadman, owner of 126 MacNab Street North, in the amount of four thousand, nine hundred and thirty-seven dollars (\$4,937.) at 2 7/8 per cent interest amortized over a ten year period.
15. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of three thousand dollars (\$3,000.) for Jane and Paul Rigby, 260 MacNab Street North, Hamilton.
- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Jane and Paul Rigby, owners of 260 MacNab Street North, in the amount of four thousand and three hundred dollars (\$4,300.) at 2 7/8 percent interest amortized over a ten year period.
16. (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, eight hundred and fifty-seven dollars (\$2,857.) for Hazell Ross-Iampietro and Gerald Iampietro, 185 Delaware Avenue.

- (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Hazell Ross-Iampietro and Gerald Iampietro, owner of 185 Delaware Avenue, in the amount of three thousand and fifty-seven dollars (\$3,057.) at 2 7/8 percent interest amortized over a ten year period.
- 17. That a Designated Grant in the amount of three thousand dollars (\$3,000.) be provided to the Hamilton Hebrew Academy, 235 Bowman Street, Hamilton.
- 18.
 - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, three hundred and thirteen (\$2,313.) for Heinz Ollesch, owner of 172-176 Locke Street South, Hamilton.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Heinz Ollesch, 172-176 Locke Street South, in the amount of two thousand, five hundred and fourteen dollars (\$2,514.) at 2 7/8 percent interest amortized over a ten year period.
- 19.
 - (a) That the Building Department, Loans Division, be directed to apply on behalf of the owners to the Province of Ontario for a Designated Property Grant in the amount of two thousand, nine hundred and twenty-nine dollars (\$2,929.) for Keltie Lynn Law, owner of 112 Aberdeen Avenue.
 - (b) That the Building Department, Loans Division, be directed to process an increase in the Community Heritage Trust Fund Loan to Keltie Lynn Law, 112 Aberdeen Avenue, in the amount of three thousand, one hundred and twenty-nine dollars (\$3,129.) at 2 7/8 percent interest amortized over a ten year period.
- 20. That a Designated Grant in the amount of six hundred and forty-nine dollars (\$649.) be provided to Jane and Paul Rigby, 74 George Street, Hamilton.

21. That the Building Commissioner be authorized to issued demolition permits for the following:
 - (a) 1121 Upper James Street
 - (b) 1128 Upper James Street
 - (c) 1134 Upper James Street
 - (d) 1142 Upper James Street
 - (e) 1150 Upper James Street
 - (f) 1160 Upper James Street
 - (g) 1075-1079 Upper James & 7 Limeridge Road East
 - (h) 50 Limeridge Road East
 - (i) 571 Burlington Street East
 - (j) 605 Mohawk Road West
 - (k) 28 Dodson Street
22.
 - (a) That the request of Anthony G. DiCenzo, Solicitor for DiCenzo Construction Company Limited, to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1", Plan of Subdivision, 62M-733, be approved;
 - (b) That the appropriate by-law to remove part-lot control from Lots 1-22, inclusive, "Sandrina Gardens, Phase 1" Plan of Subdivision, be enacted by Council;
 - (c) That following enactment of this by-law, that the Regional Municipality of Hamilton-Wentworth (as delegates of the Minister of Municipal Affairs), be requested to grant approval to the by-law and endorse the same on the by-law; and
 - (d) That following completion of the conveyances being permitted by the said by-law to remove part-lot control, a by-law be enacted to repeal the said by-law.

23. (a) That the resolution from the Town of Lindsay, attached hereto and marked as Appendix "D", be endorsed; and
- (b) That the Minister of the Environment and Energy and the Town of Lindsay be advised of Council's endorsement.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Drury, Morelli, Agostino, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -13.

NAYS: Aldermen Kiss, Copps, Wilson. -3.

CARRIED.

24. (a) That Council endorse the efforts of the Association of Conservation Authorities of Ontario to develop a more simplified resource management system;
- (b) That the Provincial Government undertake a comprehensive review of resource management issues together with all affected municipalities and the Association of Conservation Authorities of Ontario;
- (c) That a review of resource management issues in Ontario also include:
- i. an examination of the funding requirements of restructured Conservation Authorities; and
 - ii. direct consultation and negotiation with affected municipalities on possible changes to land use planning measures and approvals related to the mandate of restructured Conservation Authorities.
- (d) That the Hamilton Region Conservation Authority, all local Members of Provincial Parliament, and the Ministers of Natural Resources, Environment and Energy, Agriculture and Food, and Municipal Affairs be advised of this resolution.
25. That leave be granted to introduce the following Bills:
- (a) C-63 By-law to Amend Zoning By-law No. 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (North of Berkindale Drive)

1993 August 31

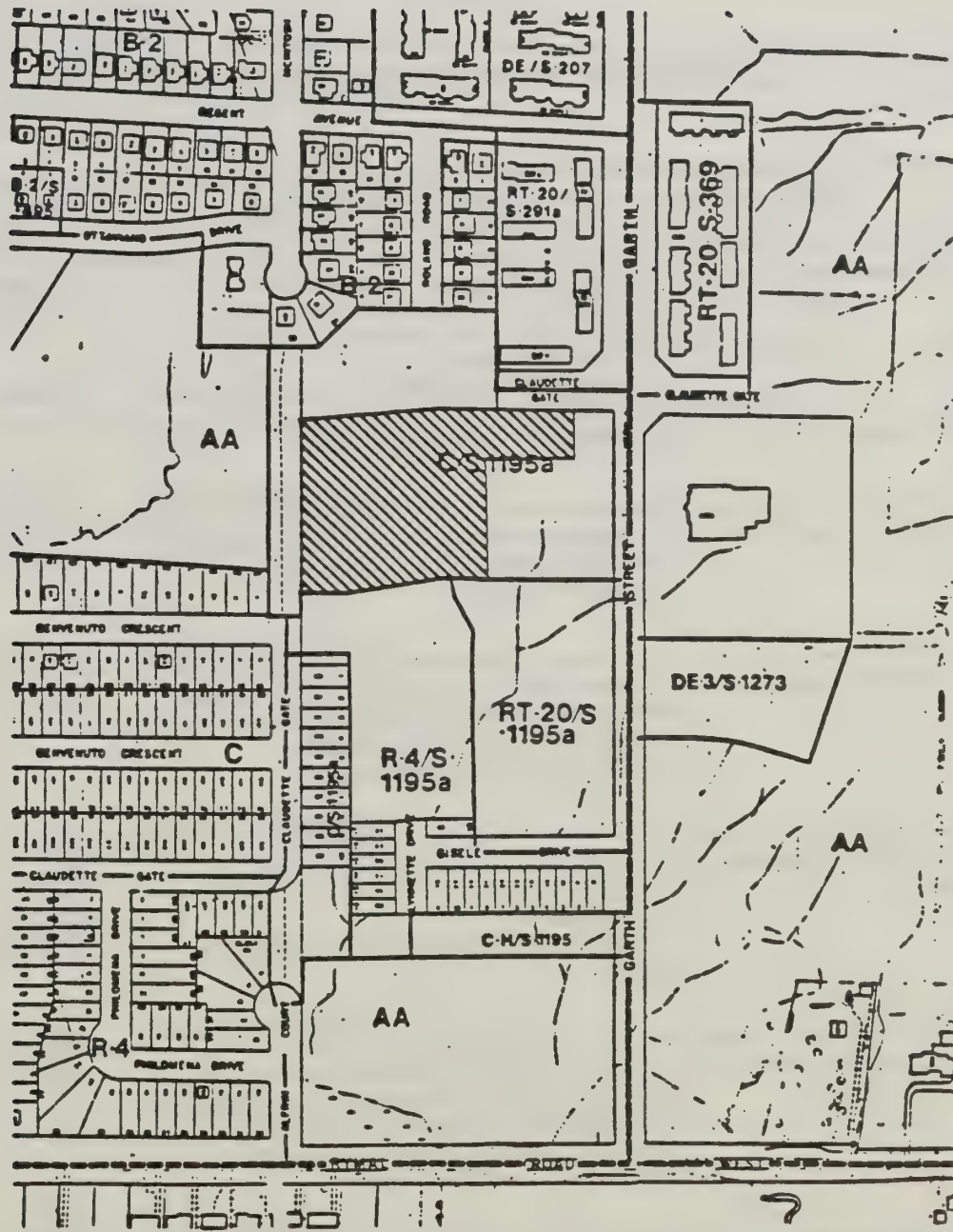
- (b) C-65 By-law to Amend Zoning By-law 6593 respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (c) C-66 By-law to establish Site Plan Control respecting land located at the rear of Municipal No. 1011 Queenston Road (South of Berkindale Drive)
- (d) C-67 By-law to authorize the entering into of a Heritage Easement Agreement respecting Whitehern
- (e) C-68 By-law to Amend Zoning By-law No. 6593 as Amended by Zoning By-law No. 92-075 respecting land located at Municipal No. 1314 Upper Wentworth Street
- (f) C-69 By-law to remove land within the Sandrina Gardens, Phase 1 Subdivision, Plan 62M-733 from Part Lot Control
- (g) C-70 By-law to Amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 236-250 Rymal Road West
- (h) C-71 By-law to authorize the New Commercial Loan Program
- (i) C-72 By-law to Amend By-law 77-244 respecting Fences and Gates around Private Outdoor Swimming Pools.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

Tina Agnello, Secretary
1993 August 25

1993 August 31



Legend

Proposed Changes in Zoning From:



"C" (Urban Protected Residential, etc.) District to
"R-4" (Small Lot Single-Family Detached) District.



1993 August 31

COMMERCIAL IMPROVEMENT PROGRAM REQUESTS

1993

B.I.A.	Proposed Improvements	Estimated Cost
International Village B.I.A.	1) Bicycle Racks	\$ 3,000.
	2) Provision of and installation of ten (10) historical plaques on Heritage Buildings within International Village.	\$ 6,000.
	3) Increased luminaire lighting in north alleyway between Mary Street and Wellington Street to improve safety and reduce vandalism.	\$ 3,000.
	ESTIMATED COST	\$12,000.
Ottawa Street B.I.A.	1) Installation of concrete crosswalk at Campbell and Ottawa Streets during reconstruction of Ottawa Street in 1994.	\$25,000.
	ESTIMATED COST	\$25,000.
Barton Street B.I.A.	1) Due to this B.I.A.'s depleted condition along with its 50% vacancy rate, they have asked that an amount be set aside for revitalization improvements along Barton Street.	\$52,000.
	ESTIMATED COST	\$52,000.
Downtown Promenade B.I.A.	1) Improvements to Alleyway lighting within the boundaries of the B.I.A.	\$ 2,000.
	2) Wall Mural.	\$ 5,000.
	3) Supply and installation of twenty (20) bench dividers.	\$ 4,500.
	ESTIMATED COST	\$11,500.
Concession Street B.I.A.	1) Alleyway lighting on south side of Concession Street between East 21st and East 24th Streets.	\$ 4,000.
	2) Installation of thirty-seven (37) pole mounted photocells along wood hydro poles which will significantly reduce Hydro costs.	\$ 3,700.
	ESTIMATED COST	\$ 7,700.
Westdale Village B.I.A.	1) The purchase and installation of two (2) benches in front of the Library.	\$ 1,400.
	ESTIMATED COST	\$ 1,400.

Main Street West Esplanade B.I.A.	1) The purchase and installation of six (6) litter container lids.	\$ 1,000.
	2) The B.I.A. has requested greenery on Main Street West but due to restricted sidewalk width the only possible locations could be on the school property that fronts onto Main Street West. This will be pursued with the Public School Board.	\$ 3,000.
	ESTIMATED COST	\$ 4,000.
	TOTAL ESTIMATED COST	\$113,600.

1993 August 31

CN STATION CITIZENS ADVISORY COMMITTEE

STATEMENT OF INTEREST

I. Statement of Interest

a) Geographical Area

The area of interest constitutes primarily the CN Station and its surrounding property: bounded by James St. N., Murray St., Hughson St. N., and the CN tracks, as well as the CN parking lot to the west (situated between James North and MacNab North) and the railway platforms on the lower level. (See attached Map)

b) Heritage Character

The area of interest focuses on the heritage character of the CN Station and surrounding property, which is derived from the following heritage attributes: architectural, historical, landscape and contextual merits.

The heritage significance of the CN Station has been duly recognized by all levels of government:

Federal: Designated under the Heritage Railway Stations Protection Act (sale, alteration, or demolition regulated)
The geographical area is defined as follows: "The station precinct consists of a grassy front plaza, the T-plan station building and suspended concourse, and a large track yard with ancillary buildings at lower level."

Provincial: Evaluated as "Heritage Class: A; Architecturally significant and unique to the province", Study by the Ontario Heritage Foundation and the Ministry of Citizenship and Culture in cooperation with Canadian National Railways and VIA Rail (no regulations apply)

Municipal: Listed as a Landmark Building and on the Inventory of Buildings of Architectural and Historical Interest (no regulations apply). Designation at the municipal level under the Ontario Heritage Act is now under consideration.

II. Statement of Intent

It is the intent of the committee to encourage and facilitate

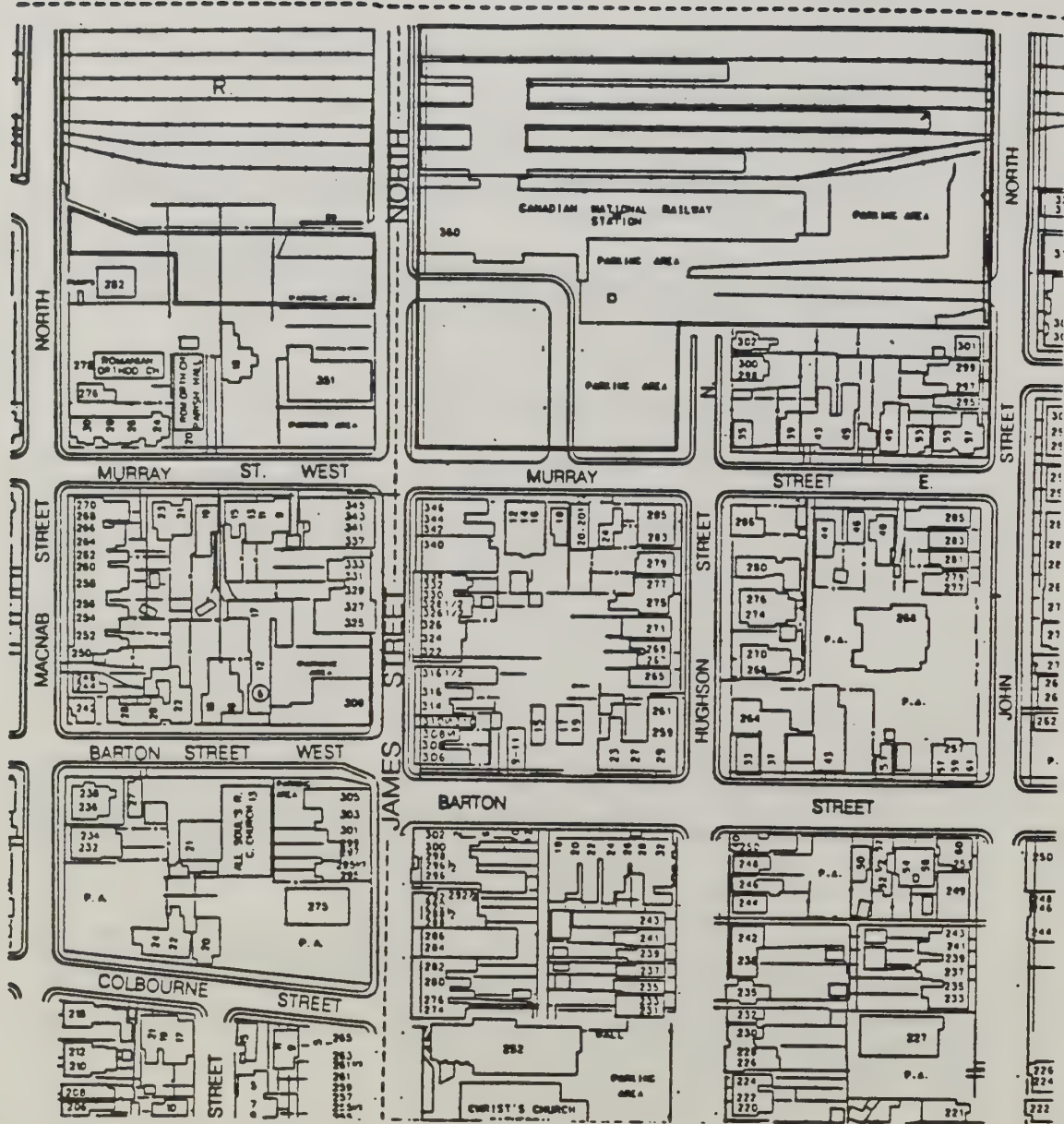
- (a) the conservation, restoration, and appropriate re-use of the CN Station; and
- (b) the preservation of the open space to the south of the CN Station, to include the area bounded by James St. North, Murray St and Hughson St. North.

III. Guidelines for Implementation

In the process of achieving the "Statement of Intent", the following guidelines should be taken into consideration:

- (a) to identify, encourage and facilitate appropriate uses for the CN Station and lands in cooperation with the CNR;
- (b) to pursue, in particular, those types of uses appropriate to the national and provincial landmark status of the station;
- (c) to ensure that any use of the site will be sensitive to and compatible with the adjacent neighbourhoods;
- (d) to communicate with residents, property owners and advisory committees (such as LACAC, CAPIC, Urban Design, Central/Beasley Neighbourhood Plan Review Team, and Central/Beasley PRIDE HINT), as well as neighbourhood and business associations, who may be interested in the station's future use;
- (e) with respect to the CN site and its surroundings, to encourage appropriate land use designations and zoning modifications in the Beasley Neighbourhood Plan Review;
- (f) to report to the Planning and Development Committee, when warranted.

1993 August 31



CN Station Citizens
Advisory Committee
"Area of Interest"

Appendix "D" as referred to
in Section 23 of the THIRTEENTH
Report of the Planning and
Development Committee for
1993

"Whereas the Ministry of the Environment has recently distributed a land use planning interim guideline entitled "Guideline on Separation Distance Between Industrial Facilities and Sensitive Land Uses"; and

Whereas this guideline is badly flawed and needs to be reconsidered for the following reasons:

- (i) the guideline advocates unreasonable distances between industrial and sensitive land uses;**
- (ii) the Ministry has failed to provide adequate justification for these separation distances;**
- (iii) the guideline was developed without consultation with municipalities in Ontario;**
- (iv) the guideline unreasonably slants the planning process in one direction to the detriment of other, perhaps more important, planning considerations;**
- (v) the guideline treats parks a sensitive land use and prevents parks from being used as a buffer between industrial and residential land use.**

NOW THEREFORE BE IT RESOLVED THAT the Ministry of the Environment be requested to reconsider its separation distance guideline, to engage in real consultation with stakeholders including the Association of Municipalities of Ontario during the process of reconsidering the guideline and to not implement the guideline until such time as it has been reconsidered."

Resolution adopted by the Town of Lindsay, February 8, 1993

REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his **SECOND** Report for 1993 and respectfully recommends:

1. That the Federal Minister of Justice seek a minimum sentence for all crimes where hatred of a person on the basis of their race, religion, nationality, ethnic origin, and sexual orientation and gender is the motivating factor in the commission of the criminal act; and in cases of hate bias crime, i.e. where hate is a motivating factor, collection of victim impact statements should be sought as a national policy and, with the agreement of the victim, be read into the court record;
2. That the Attorney General of Ontario take the necessary action to ensure that the education of the judiciary and officers of the court on hate motivated crime be conducted in the same manner as sexual assault/harassment/abuse have been for the women's community;
3. That the Attorney General of Ontario mandate crown attorneys to identify to the courts all cases where hate is considered a motivating factor in a criminal act;
4. That the Federal and Provincial Solicitor Generals establish a combined task force operating under central direction, operating with specially trained personnel that will share information nationally and internationally and pursue a highly aggressive enforcement policy against all forms of hate crimes;
5. That the Federal Minister of Justice and Solicitor General convene a series of conferences for the purpose of developing national standards to investigate, successfully prosecute, and prevent and curtail white supremacist neo-Nazi hate group activities.

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6. That the Ontario Minister of Citizenship amend the Human Rights Code to protect against racist, derogatory hate signs and symbols.

RESPECTFULLY SUBMITTED,

Robert M. Morrow
Mayor

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **FIFTEENTH** Report for 1993 and respectfully recommends:

1. That notwithstanding the City's policy of not permitting billboards on the forecourt of City Hall until the City Hall Grounds Study has been completed, that permission be given for a ticket sale gauge for the Tiger-Cat Labour Day Game to be erected.
2.
 - (a) That the City of Hamilton resolve Ontario Court General Division Action No. 23590/90 by the payment to the Plaintiffs, Mary and Frank Carpanini of the sum of \$2,000. inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court General Division Action No. 23590/90 be dismissed without costs.
3. That the City of Hamilton offer to settle Ontario Court (General Division) Action No. 16926/89 on the following terms:
 - (a) That the City pay to the Plaintiffs, Crystal and Greg Rayner, the sum of \$13,123. inclusive of all damages, interest, disbursements and costs; and,
 - (b) That the Plaintiffs, Crystal and Greg Rayner, be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court (General Division) Action No. 16926/89 be dismissed without costs.

4.
 - (a) That the City of Hamilton offer to settle Ontario Court General Division Action No. 7324/89 by the payment to the Plaintiffs, Sharon, Richard, Gregory, Bradley and Trevor Guyatt of the amount of \$242,149.62 inclusive of all claims for damages, interest and costs; and,
 - (b) That the Plaintiffs be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,
 - (c) That Ontario Court General Division Action No. 7324/89 be dismissed without costs; and,
 - (d) That the City Solicitor be authorized and directed to pursue a claim against Royal Insurance Company for contribution of \$142,149.62 pursuant to the terms of the City's policy of automobile insurance with the Royal Insurance Company. Further, that the City Solicitor be authorized to take all steps necessary to pursue this claim including the institution of Court action against the Royal Insurance Company.
5. That the following course of action be implemented to lessen the impact of the Ontario Government's Social Contract on the Emergency Service and Support Operations of the Hamilton Fire Department:
 - (a) That payment for five of the remaining twelve 1993 statutory holidays, be eliminated for Fire Suppression (429 personnel) and Communications Division (10 personnel). Other venues/opportunities as may accrue from now until the end of 1993 may be utilized to make up an extra day for the total of six required days off without pay. (These personnel who work an average 12 hour shift, receive lieu days for each statutory or proclaimed holiday and those remaining until the end of the year are Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day); and,
 - (b) That the remaining 31 members of the Fire Prevention, Training, Mechanical and Administration Division, who work a normal 8 hour shift, be required to take 8 scheduled days off without pay, since they are not required to work on the statutory or proclaimed holidays for which they are paid.

(c) That the Commissioner of Human Resources reaffirm to the Fire Fighters Association our willingness to negotiate permanent alternatives which will achieve the targeted 1993 to 1996 savings. **ADDED AND CARRIED.**

6. That as referred to in Section 25 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City's share of services under the Modified Subdivision Agreement with the owner of certain lands on Bow Valley Drive at a cost of \$1,410.27, be financed from Centre No. CH 00107 - "Reserve for Services Through Unsubdivided Lands".
7. That as referred to in Section 20 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an independent concrete sidewalk on the east side of Upper Ottawa Street from Stone Church Road to approximately 275m Northerly (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$35,500., with the City's share of \$13,072. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$22,428. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$22,428. for a term not to exceed 20 years for the above project.
8. That as referred to in Section 21 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct a concrete curb on the North side of Rennie Street from Waterloo Street to approximately 33.8m Easterly (East Limit of 777 Rennie) and the construction of a concrete curb and sidewalk on the South Side of Rennie Street from approximately 12.2m East of Waterloo Street to approximately 12.2m Easterly (frontage of 776 Rennie) (PW 93.1038) under the Local Improvement Act at an estimated gross cost of \$8,700., with the City's share of \$5,446. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$3,254. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$3,254. for a term not to exceed 20 years for the above project.

9. That as referred to in Section 22 of the Eleventh Report for 1993 of the Transport and Environment Committee, the City Solicitor prepare an appropriate By-Law to construct an alley first north of Barton Street East from Tragina Avenue North to Weir Street North (east-west portion only) (PW93.1038) under the Local Improvement Act at an estimated gross cost of \$30,400., with the City's share of \$25,175. to be financed from the Reserve for Capital Projects (Account Centre No. CH 00203) and the balance of \$5,225. being the Owner's share to be financed by the issuance of debentures for a period not to exceed 20 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$5,225. for a term not to exceed 20 years for the above project.
10. That City Council's approval in 1990 March with respect to the financing of the estimated \$429,000. cost of the "Escarpment Stabilization Project", wherein part of the financing was to be shared between Committees as noted in Section 1.(b) (B) of the Sixth Report for 1990 of the Parks and Recreation Committee which reads:

"the City Treasurer be authorized to collect funds on approval of the cost sharing arrangements between the Parks and Recreation Committee (City), Transport and Environment Committee (City) and the Engineering Services Committee (Region) in equal shares of \$143,000. as estimated.",

be amended to delete the reference to the City Committees sharing costs, in that the entire amount was already funded in 1990 from the Reserve for Capital Projects, and the sharing of costs between City Committees would serve no useful purpose. The Region's share of one-third of the cost has been determined and billed.
11. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for approval to reallocate the excess debenture proceeds in the total amount of \$817,514.97 as follows:

(a) Transfer from:

<u>Description</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law No. & Date</u>	<u>Excess Debenture Proceeds</u>
(i) Chedoke Golf Course Parking Lot	E890865 27-Jul-89	89-252 26-Sep-89	\$143,600.00
(ii) Pump Truck - Fire Station at Limeridge & Upper Ottawa	E860628 19-Nov-86	87-001 13-Jan-87	1,139.69
(iii) Fire Station - Limeridge & Upper Ottawa	E81695 15-Feb-88	88-090 12-Apr-88	9,972.98
(iv) Land Acquisition - Arena Parking	E840142 11-Apr-84	85-052 26-Mar-85	269,217.19
(v) Scott Park Arena - Replace Surface	E860611 30-Jul-86	86-241 26-Aug-86	206,925.27
(vi) Downtown Action Plan - Phase 2	E840584 19-Dec-85	86-075 11-Feb-86	1,617.94
(vii) P.R.I.D.E. - Crown Point West/Stipley	E871261 7-Dec-87	88-023 26-Jan-88	13,316.89
(viii) Road Access - Bow Valley to Queenston	E860858 16-Mar-89	89-145 9-May-89	107,124.22
(ix) Roads/Curbs/Walks - Greenhill Avenue	E881255 5-Oct-88	88-273 28-Nov-88	<u>64,600.79</u>
			<u>\$817,514.97</u>

(b) Transfer to:

<u>Description</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law No. & Date</u>	<u>Excess Debenture Proceeds</u>
(i) Major Maintenance to Civic Buildings (1992)	E920486 26-Jan-92	92-215 25-Aug-92	\$300,000.00
(ii) High Pressure Sodium Street Lighting Conversion Program - Phase 2	E920430 26-Jan-92	92-174 30-Jun-92	<u>517,514.97</u> <u>\$817,514.97</u>

12. That approval be given to the request of the Hamilton District Council of Women to use the following City Hall facilities on the occasion of its Centennial project in 1993 November:
 - (a) Council Chamber and annex on Wednesday, 1993 November 17 from 12:00 noon until 2:00 p.m. for a Centennial programme and refreshments; and,
 - (b) Second floor foyer area from 1993 Monday, November 15 to Thursday, November 18 for an historical display.
13. That approval be given to the action taken by the Acting City Clerk in authorizing Sheila Copps, M.P. for Hamilton East, to use the Council Chamber on Wednesday, 1993 August 25 at 7:00 p.m. for a presentation ceremony to recipients being honoured with Canada 125 Commemorative Medals.
14.
 - (a) That approval be given to the request of the Canadian Christian Festival IV to use the City Hall forecourt on Friday and Saturday, 1994 June 24 and 25 from 9:00 a.m. - 9:00 p.m. for a concert in addition to a rallying point for the March for Jesus as part of the Canadian Christian Festival IV Programming in 1994; and,
 - (b) That the City Clerk be granted the authority to approve of a similar use in future years provided it does not interfere with any other activity.
15.
 - (a) That approval be given to the request of the Council on Suicide Prevention, Hamilton & District Incorporated to use the Forecourt and related facilities for a Chili Cook-Off on Thursday, 1993 October 21, on Credit Union Day, between 9:00 a.m. and 1:00 p.m. as a fundraiser for its organization; and,
 - (b) That the City Clerk be authorized to approve of a similar use in future years provided it does not conflict with any other activity.
16. That approval be given to the request of the Spiritual Assembly of the Baha'is of Hamilton to use the City Hall forecourt on Friday, 1993 September 24 from 9:00 a.m. to 5:00 p.m. to set up an information table with regard to four meetings which will be sponsored by the Baha'i Community at the Hamilton Public Library.

17. That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the Watermelon Festival being held 1993 September 18, by the Westdale B.I.A. and does not object to the extension of the existing Liquor Licence of the New Village Restaurant at 988 King Street West where liquor and beer will be served in front of said premises from 11:00 a.m. to 11:00 p.m. in conjunction with this event.
18. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$71,869.25 including all applicable taxes, for the replacement of One 35,000 GVW Cab and Chassis with Dump Body installed, Unit 9210, for Fleet Services being the lowest of nine tenders received in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, and be financed through Reserve for Mobile Equipment Account No. CH5X503 00101.
19. That the listing of Appointments To and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1993 August 18, attached herewith and marked Appendix "A", be approved.
20. That the contract settlement of the Hand Association of Sewer, Watermain & Road Contractors and the Labourer's International Union of North America, Local 837 be received pursuant to the Fair Wage Policy of the City of Hamilton.
21. (a) That a joint City and Regional Task Force be established to review issues concerning Roomers and Boarders; and,
(b) That the membership include the following:
 - (i) City and Regional Department Representatives:
 - (1.) Department of Public Health - Inspections Division
 - (2.) Department of Social Services - Policy and Income Maintenance Division
 - (3.) Building Department
 - (4.) Licensing Department
 - (5.) Fire Department
 - (6.) Planning Department
 - (7.) Hamilton-Wentworth Police Services

(ii) Community Representatives:

- (1.) Two Rooming House Tenants
- (2.) Member of the Food and Shelter Committee
- (3.) Member of the Roomers and Boarders Committee
- (4.) Member of Housing Help Centre/THIAC
- (5.) A Landlord
- (6.) Member of McQueston Legal Clinic
- (7.) Community Representative At-Large
- (8.) Representative from the Health Rights Coalition and United Disabled Consumers

(iii) Municipal Representatives:

- (1.) One Representative of Finance and Administration Committee - City of Hamilton
- (2.) One Representative of Health and Social Services Committee - Region of Hamilton-Wentworth

- (c) That the City Clerk liaise with the Regional Clerk on the procedures to be followed on the selection and appointment of the above-noted representatives; and,
 - (d) That the Task Force attempt to report back to the appropriate committees and Councils within three months.
22. (a) That a grant in the amount of \$500. be approved for the Hamilton Canadian Club to purchase a bronze commemorative plaque to be erected on the Pigott Building in recognition of the building being the location of the first meeting in 1893 of the Canadian Club; and,
- (b) That funding for this expenditure be charged to the General Grants Account.
23. (a) That the City of Hamilton lease 1,900 square feet of the mall level portion of Copps Coliseum to 752413 Ontario Limited and Champions Fitness Ltd. (Gene Kay and Michael Watson), carrying on business as Champions Family Fitness Centres, subject to the following terms and conditions:

Property: North-East quadrant of retail mall level
Copps Coliseum, 101 York Boulevard

Area: 1,900 square feet

- (i) Term:
- (1.) Ten (10) Years
Commencing 1993 October 1
Terminating 2003 September 30
 - (2.) If at any time during the lease the Lessor requires the leased space for use as part of a N.H.L. hockey franchise, then upon ninety (90) days written notice, this lease will be automatically terminated.
 - (3.) If the Lessor exercises its rights under paragraph (2.) above, then the Lessor will reimburse the Lessee for the costs of the tenant improvements based on a sliding scale reduction of 10% of said cost for every year of the lease that has been completed. Prior to the commencement of the lease, the estimate of the cost of the tenant improvements will be provided by the Lessee and incorporated into the lease agreement.
- (ii) Rental Rate:
- (1.) For the first five (5) years \$4. per square foot (NET), \$7,600. annually, \$633.33 per month, plus G.S.T.;
 - (2.) Second five (5) years rental rate to be negotiated six (6) months prior to end of first five (5) year term;
 - (3.) First and last month's rent to be received prior to execution of lease.

- (iii) Operating Costs: Lessee to pay all operating costs associated with leased space (taxes, hydro, heat and air).
- (iv) Option to Renew: At the sole discretion of the Lessor, a five (5) year renewal will be granted if requested by the Lessee, provided all terms of the lease being complied with, and six (6) months prior to the expiry of the initial term, the new rental rate is agreed upon, other terms and conditions (except no renewal clause) to remain the same.
- (v) Tenant Improvements: The Lessee is responsible, at its own cost,
- (1.) to install all tenant improvements;
 - (2.) to construct an opening in the wall between Lloyd D. Jackson Square and Copps Coliseum; and
 - (3.) to construct a plenum (if necessary) along the north side of the leased space, in order to draw air from the common corridor of the retail mall level of Copps Coliseum.

All construction drawings (meeting all code requirements) must be submitted to and approved by the Lessor prior to construction.

All work to be carried out in a good workmanlike manner meeting all code requirements.

The first six (6) months are a free rent period to assist in Tenant's construction costs associated with the renovations required.

- (vi) Special Conditions:
- (1.) That Second Phase Civic Square Limited, Lessee of Phase II, Civic Square,
 - (a) grant 752413 Ontario Limited and Champions Fitness Ltd. its approval to the alterations for the opening in the exterior wall of the premises of Second Phase Civic Square to be carried out by 752413 Ontario Limited and Champions Fitness Ltd.; and
 - (b) confirm to the City that 752413 Ontario Limited and Champions Fitness Ltd. has fulfilled its requirements regarding the alterations.
 - (2.) That the tenant be required to file with the City during construction of the alterations, a Letter of Credit for 100% of the value of the alterations to the wall of the Coliseum.
 - (3.) That the Lessee, prior to the end of the term and at its own cost, shall (1) remove all alterations, decorations, additions or improvements in or on the leased premises as the Lessor may require to be removed, and (2) restore the opening between the leased premises and Jackson Square to its original condition.
 - (4.) That the proposed lease with 752413 Ontario Limited and Champions Fitness Ltd. shall also terminate prior to its expiry in the event that its lease of adjacent

premises from Second Phase Civic Square Limited expires or terminates early.

- (5.) That the Lessee shall not have a right to assign or sublet this lease unless the City grants its approval and the third party enters into a lease assumption agreement satisfactory to the City.
 - (6.) Mr. Gene Kay and Mr. Michael Watson will personally guarantee the lease and its terms for the first three (3) years of the lease.
- (b) That the Director of Property, Co-ordinator, Lloyd D. Jackson Square, be directed to apply to the Minister of Municipal Affairs and to C.M.H.C. for approval of the proposed lease; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the lease and related agreements in a form satisfactory to the Director of Property, H.E.C.F.I, and the City Solicitor.
24. (a) (i) That an Option to Purchase, executed by Hamco Heating & Cooling Ltd., formerly Hamilton Sales Ltd. (Lawrence E. Vasilak, President), on 1993 August 4, and scheduled for closing on or before 1993 October 22, for the purchase of a parcel of vacant land situated at 11 Ferguson Avenue North, more particularly described as being composed of Lot 31, Daniel Kelly Survey, Registered Plan No. 38, comprising 470.68 square metres (5,066.6 square feet) more or less, with frontage along the west side of Ferguson Avenue North of 11.0886 metres (36.38 feet) more or less, having a depth along the northerly and southerly boundaries of 42.672 metres (140.0 feet) more or less, and having a rear measurement of 10.973 metres (36.0 feet) more or less, be approved and completed and the purchase price of \$111,465. be charged to Account No. CF 5698 909245002 (Land Acquisition - for Parking Purposes - General); and,

(ii) That the Option to Purchase be subject to the following conditions:

- (1.) The Purchaser satisfying itself on or before 1993 August 24, that soil tests are conducted satisfactory to it; and,
- (2.) That the final purchase price shall be calculated at a rate of \$22. for each square foot of land purchased as defined by the aforesaid Registered Reference Plan. This may result in an upward or downward adjustment to the approximate purchase price of \$111,465; and,
- (3.) That this Option to Purchase Agreement is subject to the approval of the Board of Directors of the Hamilton Parking Authority and City Council on or before 1993 September 7.

(b) That the Mayor and City Clerk be authorized and directed to execute the necessary documents.

25. That with respect to the use of Committee Rooms at City Hall, that priority be given to activities associated with or sponsored by City Council, a Civic Department or Committee of Council. **AMENDED AND CARRIED.**

26. That the City of Hamilton adopt a policy of not dealing with resolutions received from municipalities outside of the Hamilton-Wentworth Region, but rather referring them to the appropriate Federal or Provincial Association for its collective deliberations, as follows:

- (a) That resolutions received for endorsation from municipalities outside of the Hamilton-Wentworth Region be acknowledged by the City Clerk with the advice that resolutions received from outside of the Hamilton Wentworth Region are referred to the appropriate Federal or Provincial Association for disposition; and,
- (b) That the City Clerk refer resolutions dealing with Provincial matters to the Association of Municipalities of Ontario for consideration; and,

- (c) That the City Clerk refer resolutions dealing with matters of a national or international significance to the Federation of Canadian municipalities for consideration; and,
 - (d) That resolutions received from municipalities within the Hamilton-Wentworth Region be referred by the City Clerk to the appropriate Committee for consideration; and,
 - (e) That resolutions initiated by Hamilton City Council be referred to the appropriate Minister(s) of the Senior Government(s) involved, with copies being sent to the relevant municipal association(s), and to the local members of the Federal or Provincial Parliaments, where appropriate; and,
 - (f) That all resolutions received from municipalities outside of the Hamilton-Wentworth Region be forwarded to members of City Council for information.
27. (a) That as referred to in Section 15 of the Fifteenth Report for 1993 of the Parks and Recreation Committee, the added net cost to complete the construction of a new Club House for the Hamilton Tennis Club due to retendering, in the amount of \$111,000., be financed from the Reserve for Capital Projects, Centre 00203; and,
- (b) That the total estimated gross cost of the project be revised to \$486,000. to reflect the added cost.
28. (a) That vehicle 6021, a 1986 GMC Versalift, Telescopic Aerial Device be replaced at an estimated cost of \$70,000. and financed from the Reserve for Replacement of Mobile Equipment, Centre 00101; and,
- (b) That a 1983 GMC Stake Dump, unit 9221, and two 1982 Ford 340 Tractors, units 9548 and 9549, which would have been replaced at an estimated cost of \$80,000., not be replaced at this time.

1993 August 31

29. That leave be granted to introduce the following Bill:

Bill H-51 A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1993 August 26**

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Magdic	I	Motor Mechanic I (T2)	Fleet Services	Replacing Mr. J. Bolonzon - deceased May 31/93	\$44,784.48	July 05/93
Ms. Debbie Sauche	I	Manager of Support Services (A)	Information Systems	Replacing Ms. K. Goodfellow - resigned June 18/93		
Ms. Roberta Violin	I	Parks Draftsperson (16)	Public Works	New Position Council Approved November 24/92 Restructuring of Culture & Recreation and public Works	\$34,708.56 to \$39,443.04	June 28/93

Appendix "A" referred
to in Section 19 of the
FIFTEENTH Report of the
Finance and Administration
Committee for 1993.

Prepared August 18/93

Status
Internal - I
External - E

1993 August 31

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Abbott	I	Gardener II (D-14)	Public Works	Replacing Mr. M. Andrechek - promoted, Dec. 07/92 D. Biggs terminated September 25/92	\$36,052.64	Aug. 16/93
Mr. Michael Hunter	I	Forester II (D-18)	Public Works	Replacing Mr. R. Canfor - promoted, March 08/93 New Position Council Approved January 28/92	\$37,510.72	July 19/93
Mr. Michael Kams	I	Motor Mechanic III (D-20)	Public Works	Replacing Mr. M. Magdic - promoted, July 05/93 Mr. J. Bolonzon deceased May 31/93	\$38,240.80	Aug. 02/93

Prepared August 18/93

Status
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Scott Bowman	Gardener III	Public Works	Resigned	1 year, 3 months	Aug. 06/93
Mr. Antonio Cosantini	Concrete Finisher	Public Works	Retired	8 years, 9 months	Aug. 31/93
Mr. Charles Hewitt	Building Inspector	Building	Terminated	19 yrs, 11 months	July 19/93
Ms. Susanne Markle	Record's Clerk	City Clerk's	Resigned	5 years, 5 months	Aug. 08/93

Prepared August 18/93

Glossary of Terms

Terminated - long term disability
 - discharge
 - downsizing
 - redundant

Resigned - personal betterment
 - personal reasons

1993 August 31

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **SIXTEENTH** Report for 1993 and respectfully recommends:

1. (a) That Staff involved in the drafting of, or contracting out for, General and Engineering Specifications on City Projects ensure that wherever possible the needs of the Municipality are met and the benefits to the community are optimized; and,
- (b) That prior to the implementation of the "municipal construction contracts-local labour forces" policy, input and suggestions be solicited from the appropriate local agencies and groups; and,
- (c) That staff be directed to report back on the issue of other municipalities which have discriminated against the hiring of the local construction industry due to restrictive policies.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Morelli, Cops, Wilson, Eisenberger, Charters, Jackson, Anderson, D'Amico, Ross. -15.

NAYS: Alderman Agostino. -1.

CARRIED.

RESPECTFULLY SUBMITTED,

**ALDERMAN D. ROSS, CHAIRPERSON
FINANCE AND ADMINISTRATION COMMITTEE**

Kevin Christenson
Acting Secretary
1993 August 31



HAMILTON PUBLIC LIBRARY



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